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# **NAVAL POSTGRADUATE SCHOOL**

## **Monterey , California**



# **THESIS**

**THE ORGANIZATION AND FUNCTIONING  
OF THE LEGISLATIVE LIAISON OFFICES  
OF THE MILITARY DEPARTMENTS**

by

Robert Frank Vellella

December 1990

Thesis Advisor:

Richard Doyle

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**The Organization and Functioning of the Legislative Liaison  
Offices of the Military Departments**

by

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Lieutenant, United States Navy  
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Submitted in partial fulfillment of the  
requirements for the degree of

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from the

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## **ABSTRACT**

Recognition of the importance of legislative liaison in the military departments is critical in an era of declining defense dollars. This thesis documents the organization, functions, and operation of the legislative liaison offices of the three military departments and provides evidence regarding congressional perceptions of these offices.

The legislative liaison offices of the military departments are examined and compared using an organizational model based on legislative liaison in other executive branch offices. Special attention is given to the division between liaison with appropriation committees and all other defense-related committees of Congress.

This thesis was written in part to serve as a reference on legislative liaison for Administrative Science courses MN 3172 (Public Policy Processes) and MN 3301 (Systems Acquisition and Project Management). It is also germane to courses on legislative liaison and public affairs under development by the National Security Affairs Department.

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## **I. INTRODUCTION**

The purpose of this thesis is to document the organization, functions, and operation of the legislative liaison offices of the three military departments. In addition, this research is an effort to document the perceptions of Congress with regard to these offices. The text of this thesis is suitable, with minor adaptations, to be included as a segment of or current reference to augment the material presented in MN 3172 (Public Policy Processes) and MN 3301 (Systems Acquisition and Project Management). It is also germane to the new course focusing on legislative liaison and public affairs currently being developed by the National Security Affairs Department.

There are many offices throughout the federal government in general and the Department of Defense (DOD) in particular that have legislative functions and titles. Title 10, U.S. Code, establishes four Offices of Legislative Liaison (OLL) within the DOD solely responsible for accomplishing legislative functions. This dedication to legislative functions, as a primary mission, distinguishes the OLLs from other DOD offices that have secondary legislative functions and titles. The four OLLs are the Office of the Secretary for Defense/Legislative Affairs (OSD/LA), the Secretary of the Air Force/Legislative Liaison (SAF/LL), the Office of the Chief of Legislative Liaison (OCLL) for the Army, and the Navy Office of Legislative Affairs (OLA). This thesis examines the three military departments' OLLs and evaluates comments on the OSD/LA as they relate to the coordination of the military departments' OLLs' legislative efforts.

The organization of the military departments' OLLs is documented with respect to Public Law and DOD and military service regulations. The functions of the military department OLLs are analyzed employing a model developed by Abraham Holtzman [Ref. 1].

Holtzman presents three perspectives of legislative liaison functions. Chapter two of Holtzman's book presents a detailed description of what he proposed as the legislative liaison functions of the executive branch. This description contains two of his three perspectives on the legislative liaison function: (a) the legislative liaison department's responsibilities to the department's Secretary, and (b) the legislative liaison department's responsibilities to the Congress. Under each perspective, four functions are listed. This thesis develops these functions as a model to evaluate the performance of the military department OLLs. The operation of the military department OLLs is documented through the study of service regulations and interviews with personnel within the OLLs.

Chapter three of Holtzman's book provides the third perspective of legislative liaison functions. It identifies four hypotheses to explain the congressional perspective on the executive department's legislative liaison functions. This thesis examines the congressional perspective of the department OLLs in terms of Holtzman's hypotheses. The perceptions of congressional staff members of the key Senate and House Committees (Armed Services, Budget, and Defense Appropriations) with oversight authority for DOD budgets and policies are assessed. In order to present a well-rounded perspective, key personnel in the following organizations also were interviewed: the Office of Management and Budget, the

Congressional Budget Office, and the Department of Defense Office of Legislative Affairs.

A literature review of the subject area was conducted. The literature review produced only one article specifically related to DOD legislative efforts. This article by Sidney L. Gardner, "Congressional Liaison in The Military Establishment," was published in 1965. A few sources of information were available under the subject area of Executive-Congressional relations, but they focused mainly on White House and Executive agency interaction with the Congress. That was one level above the scope of this research. That is, this research studied the departments within a single agency and how those departments coordinate activities with the Congress.

This research documents Public Law and Department of Defense and service-specific regulations that govern the organization and function of the OLLs. In addition, this research examined several reports written in the early 1970s at the Army War College that analyzed the origins and development of the Army OLL.

The main body of information for this thesis was derived through extensive personal interviews. Interviews were conducted as follows. First, those interviewed were asked for general statements on the organization, functions, and operation of the military departments' OLLs. Second, questions from a standardized list were asked. Third, extensive notes were taken during the interviews and reviewed immediately afterwards. A series of follow-up questions were addressed by telephone.

This thesis is divided into eight chapters. Chapter II defines legislative liaison, the general functions these offices are intended to provide, and the proliferation of OLLs throughout the federal government.

Chapters III through V are organized by service, with separate chapters on the current organization, functions, and operation of the Air Force, Army, and Navy OLLs, respectively.

Chapter VI compares the military department OLLs. The high degree of similarity among the OLLs in relation to their organization, functions, and operation is explained. Differences with respect to organization, functions, and operation also are addressed.

Chapter VII assesses the congressional perspective of the military department OLLs. That chapter employs Holtzman's hypotheses to evaluate congressional perceptions of the liaison roles of the executive. Following the assessment of Holtzman's hypotheses is a section on congressional views of OLLs derived from personal interviews with congressional staff.

Chapter VIII presents findings and recommendations.



## **II. LEGISLATIVE LIAISON**

This chapter is divided into four sections: (a) an overview of legislative liaison, (b) the general functions that legislative liaison offices are intended to fulfill, (c) a discussion on the proliferation of OLLs throughout the federal government, and (d) a summary.

### **A. LEGISLATIVE LIAISON: AN OVERVIEW**

Sidney L. Gardner, in an article entitled "Congressional Liaison in The Military Establishment," quotes Samuel Huntington's definition of legislative liaison.

"Legislative activities" concern the preparation and presentation to Congress of bills which the service wants enacted... "liaison" work, on the other hand, involves helping individual congressmen who request information, explanations or special assistance. [Ref. 2:p. 9]

While Huntington provides a succinct definition, his definition does not encompass the full meaning of legislative liaison.

It is difficult to unambiguously define the meaning of legislative liaison for several reasons. First, the term legislative liaison is applied in several different contexts. Second, the meaning of legislative liaison is complicated because of the diversity of the Congress and the federal government. Finally, there are many offices with different titles throughout the federal government that deal with legislative liaison. A few examples of these office titles are Congressional Relations Office, Legislative Affairs Office, and Congressional Liaison Office.

The scope of legislative liaison is further complicated by a formal dichotomy that exists between appropriation matters and all other legislative activities. Congressional report language of both the House and the Senate mandates that different offices provide legislative liaison services to the appropriating committees and the committees of more general jurisdiction. The comptroller shops of each of the military departments are required to be the department's only point of contact with the appropriations committees. The department's OLL is the point of contact for all other legislative matters and, in this capacity, works primarily with the authorization committees.

This dichotomy is referred to by Captain Sandy Clark, USN, in an unpublished report.

DOD has a formally established, relatively rigid structure by which information is provided to Congress. In theory, each of the services has two offices: Legislative Liaison offices which deal with the Armed Services committees, and Budget offices which service the Defense subcommittee of the House and Senate Appropriations committees. [Ref. 3]

For the remainder of this paper, when discussing liaison functions, the terms "budget office" or "comptroller shop" will refer to the work of the military departments in conjunction with appropriation matters and "OLL" will refer to all other legislative matters.

Because this paper is a study of the military department OLLs, it will primarily study the congressional services provided with regard to legislative issues and the authorization committees. However, in order to provide an overall perspective of legislative liaison, occasional reference will

be made to the budget offices' responsibility to the appropriations committees.

## **B. THE FUNCTIONS OF LEGISLATIVE LIAISON**

A clearer understanding of legislative liaison can be provided through a description of the basic legislative liaison functions. The following quote provides insight into the legislative liaison functions.

In Jan, 1965, a remark by a freshman Democratic Congressman stimulated the author's interest in this subject. The Congressman said:

I had heard a lot about lobbyists before I came to Washington and expected to be besieged when I arrived. I was. To my amazement the first ten lobbyists who came into see me were from the ten Executive Departments, offering assistance, literature and advice on their legislative programs. [Ref. 4: p. 14]

The literature review revealed two sources of information that describe the legislative liaison functions with respect to executive-congressional relations. The first is an article published in 1966 by G. Russell Pipe [Ref. 4]. The second source is a book published in 1970 by Abraham Holtzman [Ref. 1].

Although this reference material is dated, there are two reasons for using it. First, this is the most current literature dealing with this subject. Second, it enables the current functions of the military department OLLs to be compared to previously stated functions of the Executive Department OLLs.

Holtzman developed a model for analyzing the functions of the Executive Department OLLs. This chapter explains Holtzman's model. Later

chapters compare the military departments' OLLs' functions to this model and discuss the current congressional perspective.

Holtzman addressed the legislative liaison functions from three perspectives. They are (a) the perspective of the OLL's responsibilities to the respective department's Secretary, (b) the OLL's responsibilities to Congress, and, (c) the congressional perspective of the legislative liaison functions.

Holtzman identifies four functions with regard to the first perspective. The following functions are the OLL's responsibilities to the department's Secretary:

1. Adviser to the Secretary
2. Coordinator
3. Service expediter for Congress
4. Inside spokesman or legislative advocate [Ref. 1:pp. 21-24]

Holtzman then presents four additional functions with regard to the second perspective, the OLL's responsibilities to the Congress:

1. Spokesman for the Secretary
2. Intelligence agent
3. Lobbyist for the department
4. Administrative agent [Ref. 1:pp. 24-30]

Holtzman proposes four hypotheses with regard to the congressional perspective of the legislative liaison functions:

1. Hypothesis I: Built-in antagonisms lead Congress to limit liaison roles.
2. Hypothesis II: Congressional norms and needs facilitate lobbying roles.

3. Hypothesis III: Congressional seniority enhances the acceptance of executive lobbyists in the legislative system.
4. Hypothesis IV: Congressional party affiliations lead to different attitudes regarding executive lobbying. [Ref. 1:pp. 42-61]

#### **1. OLL's Responsibilities to the Department's Secretary**

The OLL acts as adviser to the Secretary of the department with regard to the current political mood and requirements of the Congress. While the OLL does not provide technical advice on the content of legislation, it does provide impressions of how specific legislation will be received and where any difficulties may be encountered in the Congress.

The OLL acts as the coordinator for all interaction between Congress and its department (except appropriation matters). The OLL accomplishes this function by being the central point of access between the Congress and the department. At times, there is frequent contact between the Congress and the department other than through the OLL. This is due to personal contacts and congressional desire to get information first-hand and to validate the information received from the OLLs from a second source. However, it is still the function of the OLL to provide a unifying source within the department.

The OLL also acts as a service agency for the Congress, functioning as a service expediter. The OLL responds to all congressional requests and inquiries and finds the appropriate point of insertion into the department. This response is at one of several levels. The OLL may answer the inquiry over the phone. The inquiry may require referral within the department itself in order to provide the most technically

correct response, or a written response with the signature of the Secretary may be required.

The OLL sometimes acts as an inside spokesman or legislative advocate. This function relates to the ability of the OLL to present non-attributable congressional information to the department's Secretary. That is, it is the OLL's responsibility to provide the department's Secretary with insights into the congressional process with regard to proposed or future legislation. This is accomplished through formal and informal access to the staff and members of Congress. The OLLs have built a degree of mutual trust that enables the OLL to be entrusted with the real opinions and decision criteria of the staff and members of Congress. The OLL presents this information to the department's Secretary.

## **2. OLL's Responsibilities to the Congress**

The OLL acts as a spokesman for the Secretary to Congress with regard to the department's position on current legislation and desired formulation of future legislation. This level of interaction facilitates the legislative process by helping avoid unnecessary public confrontations between the Congress and department Secretaries.

The OLL acts as an intelligence network by continually accumulating information regarding "congressional interests, intentions, and actions." [Ref. 1:p. 26] This is a vital function of the OLL which enables the Secretary to be more responsive to the needs of Congress and to safeguard the interests of the department in conflicts with the Congress.

The OLL can also act as a lobbyist for the department. In this capacity "the liaison agent was expected to expedite the legislative

process for the department's programs by communicating the department's position on its bills." [Ref. 1:p. 27]

The OLL has responsibilities as an administrative agent. That is, the OLL is part of the administration's team and is expected to cooperate with requests from the White House liaison office.

The OLL is able to fulfill all of its executive and congressional functions by maintaining constant contact with the professional and personal staffs and the members of Congress. The professional staffs are the personnel that work on the various congressional committees and are responsible for committee work. The personal staffs are employed by and loyal to an individual member of Congress.

### **3. Congressional Perspective of the Legislative Liaison Function**

Holtzman's first hypothesis, that built-in antagonisms lead Congress to limit liaison roles, is based on the fact that a natural friction exists between the Congress and the Executive. This friction is heightened when different parties control Congress and the White House. Holtzman demonstrates some clear examples of how Congress limits the OLLs' liaison role. These restrictions include legal and procedural limits. The legal restrictions are encompassed in the federal lobbying laws and the procedural are the refusal of Congress to use the various OLLs as their sole source of contact within a department. However, even though Congress may resist agency lobbying, "its members want aid and advice from the executive, and executive initiative in its own behalf is considered legitimate if conducted through proper official channels." [Ref. 1:p. 46]

The second hypothesis, that congressional norms and needs facilitate lobbying roles, suggests that Congress needs agency liaison offices. Holtzman found evidence of this in the frequency with which Congress contacted the OLLs for information and assistance. Further, when asking for a service, Congress saw the OLL as a legitimate organization.

The third hypothesis, that congressional seniority enhances the acceptance of executive lobbyists in the legislative system, suggests that the more senior a congressional member, the more likely that member is to view the functions of the OLLs as legitimate. This is because the leadership in Congress has more contact with the executive than the individual members of Congress. Therefore, he proposes that the leadership more readily accepts the functions of the OLLs. Holtzman did not find any evidence to support this inference. He found no significant differences in opinion with regard to the validity of the OLLs based solely on member seniority.

The final hypothesis, that congressional party affiliations lead to different attitudes regarding executive lobbying, suggests that there would be a difference in the acceptance of the OLL's role based on party affiliation. That is, members of Congress representing the party that occupies the White House would be more receptive to the roles of the OLL. Again, Holtzman found no support for this hypothesis in his work.

The federal government's OLLs are very sensitive to the use of the term "lobbying." Because of this, it is important to note the



distinction between the lobbying efforts of the private sector and the legislative liaison function of the federal government.

Title 18, U.S. Code, Section 1913, makes it illegal to use appropriated funds for the purposes of lobbying the Congress. Although there are many similarities between the functions of private sector lobbying organizations and the federal government's legislative liaison offices (e.g., both provide information and respond to congressional inquiries), there is an important difference between them. The federal government's OLLs only provide information as requested or as deemed essential to the Congress.

There is no one simple definition that encompasses all the different contexts in which legislative liaison is used. The descriptions above provide a standard for this thesis to compare and contrast with the military departments' OLLs' functions. This comparison provides an overview of what legislative liaison means with regard to the military department OLLs.

### **C. THE DISTRIBUTION OF LEGISLATIVE LIAISON OFFICES WITHIN GOVERNMENT**

OLLs proliferate throughout the government. This proliferation is documented in Congressional Research Report No. 84-226C, entitled "Congressional Liaison Offices of Selected Federal Agencies." [Ref. 5:p. 3] The purpose of this thesis is to provide Congress with contact information for the more than 100 liaison offices within the federal government.

This CRS report groups the Congressional Liaison Offices into three categories with examples of each:

1. Legislative Branch
  - a. Congressional Budget Office
  - b. General Accounting Office
2. Executive Branch
  - a. Executive Office of The President
    - White House
    - Office of Management and Budget
  - b. Departments
    - Department of Commerce
    - Department of Defense
    - Department of Health and Human Services
    - Department of State
3. Agencies, Boards and Commissions
  - a. Agency For International Development
  - b. Appalachian Regional Commission
  - c. Consumer Information Center [Ref. 5:pp. 1-14]

This is not an inclusive list. Many of these offices have further legislative liaison representation. For example, within the Department of Defense there are OSD/LA, Joint Chiefs of Staff Legislative Affairs (JCS/LA), and Defense Agency's OLLs. Each of the military departments has an OLL and the Commanders in Chief (CINCS) all have offices that handle congressional issues. In addition, within each of the departments, OLLs exist at some of the tactical headquarters and major commands. The various OLLs are located both in the Pentagon and throughout the country at major commands. This clearly demonstrates the proliferation of OLLs throughout the federal government.

# **1. Relationship of the Military Department OLLs to Each Other and the OSD/LA**

The sample list of OLLs presented in the previous section does not imply any hierarchial or command structure among the various offices. Each of these offices has been established to perform specific functions. There is no direct linkage between any of the offices. Even within the Department of Defense, the Air Force (SAF/LL), Army (OCLL) and Navy (OLA) do not report to the OSD/LA. The military department OLLs report to their respective service Secretaries.

The OSD/LA does not have direct authority over the military department OLLs. Having said this, the OSD/LA maintains a leading role in the coordination of legislative liaison functions among the military department OLLs. The OSD/LA staff and the OLL staffs work closely together on issues of interest to OSD/LA. As expressed by personnel within the OSD/LA, their office is called on frequently to put out the "brush fires" that have gotten out of control and are no longer manageable by the military department OLLs.

OSD/LA becomes involved in issues that affect more than one of the military departments. OSD/LA acts as a moderator in this respect to ensure that all the military departments involved have adequate input to the legislative process. An example of this was the V-22 program which began as a joint service project among the Air Force, Navy, and Marine Corps and was monitored closely by the OSD/LA.

In addition, OSD/LA becomes involved in high-visibility legislation regardless of whether it involves more than one of the military departments. An example of this is the current B-2 acquisition

controversy. The B-2 is being procured independently by the Air Force. Because of the high visibility and controversy surrounding the B-2, OSD/LA is actively involved in monitoring the program.

## **2. The Size and Growth of the Military Department OLLs in Relation to Other OLLs of the Federal Government**

The data presented in Table 1 give some insight into the scope of the federal government's legislative liaison effort. These data were compiled from several sources. The General Accounting Office report *Budget and Staffing Information for Congressional Offices of 19 Selected Federal Departments And Agencies* presents information for 1981 [Ref. 6]. The Department of Defense was not included in this GAO study.

The data listed for the Department of Defense for 1981 and 1988 were compiled from House and Senate reports stating budget limitations for the DOD's legislative liaison function. The DOD's numbers cannot be directly correlated against the GAO report because different methods were used in compiling these numbers. Therefore, only the DOD numbers are presented to demonstrate the growth in the DOD legislative liaison budgets during the period 1981 through 1988. Although the GAO does not have a current report for the Departments of Commerce, Health and Human Services, and Interior, this growth trend is similar throughout the entire federal government.

TABLE 1  
**REPRESENTATIVE LEGISLATIVE LIAISON BUDGETS**

<b>Federal Executive Departments</b>	<b>Congressional Liaison Offices Total Budget (thousands of 1981 dollars)</b>
Commerce	2,157 <sup>1</sup>
Health and Human Services	6,984 <sup>1</sup>
Interior	1,957
DOD	7,500 <sup>2</sup>
	(thousands of 1988 dollars)
DOD	15,000 <sup>3</sup>

<sup>1</sup>estimated figure [Ref. 6:p. 1]

<sup>2</sup>Ref. 7:p. 283

<sup>3</sup>Ref. 8:p. 201

### **3. Interpretation of the Growth and Proliferation of the Government's Legislative Liaison Functions**

The growth and proliferation of the federal government's involvement in legislative liaison is directly linked to the change in how legislation moves through the Congress. The early 1970s saw the members of Congress reject the committee seniority and party leadership system in favor of individual freedom of affiliation. Members are less willing to defer their votes on "big ticket" items to the advice of the leadership. This was most recently demonstrated during the budget crisis of 1990. This individualistic spirit has created a requirement for a greater base of expertise throughout the Congress.

The requirement for more expertise in the Congress has had a direct influence on the growth of both the personal and professional staff on the Hill. The growth of the congressional staffs has led to more

reliance on and demand for the activities of the OLLs. The growing demand for OLL services by the Congress has led to the growth and proliferation of OLLs throughout the federal government and the military departments specifically.

The growth of the congressional staff and the effects of that growth on the Defense Department's OLLs is discussed in the following excerpt from the January 1990, White Paper on The Department of Defense and The Congress.

In 1988 over 245,00 hours were spent responding to nearly 18,000 Congressional letters [relating to acquisition issues alone]. [Amended 4-2-90.] In 1984 (the latest year for which data are available) there were 599,000 telephonic inquiries from Congress. The Department presents well over 1,000 briefings to members and staff each year. Senior Department officials spend an average of 3,000 hours per year preparing for and presenting testimony to Congress. [Ref. 9:p. 29]

#### **D. SUMMARY**

Legislative liaison means different things to different people. This thesis documents the military departments' OLLs' organization, functions, and operations. The documentation provides insight into the military department OLLs. The next three chapters will be devoted to the Air Force (SAF/LL), Army (OCLL), and Navy (OLA) approaches to legislative liaison.

### **III. THE U.S. AIR FORCE APPROACH TO LEGISLATIVE LIAISON**

This chapter documents the organization, function, and operation of the office of the Secretary of the Air Force Legislative Liaison (SAF/LL). The organization of the SAF/LL is documented through reference to Public Law, Department of Defense directives, and Air Force regulations. The functions are assessed using Holtzman's model, as described in the previous chapter [Ref. 1]. Actual operations are stated according to Air Force Regulation (AFR) 11-7 and the perceptions of key personnel within the SAF/LL.

#### **A. ORGANIZATION**

The organization of the SAF/LL is based on three documents: Title 10 [Ref. 10], United States Code, Section 8014; DOD Directive 5400.4 [Ref. 11]; and AFR 11-7 [Ref. 12].

Title 10 provides the authorization for the office of the SAF/LL:

(c)(1) the Office of the Secretary of the Air Force shall have sole responsibility within the Office of the Secretary and the Air Staff for the following functions:

(F) Legislative affairs.

(2) The Secretary of the Air Force shall establish or designate a single office or other entity within the Office of the Secretary of the Air Force to conduct each function specified in paragraph (1). [Ref. 10:p. 1107]

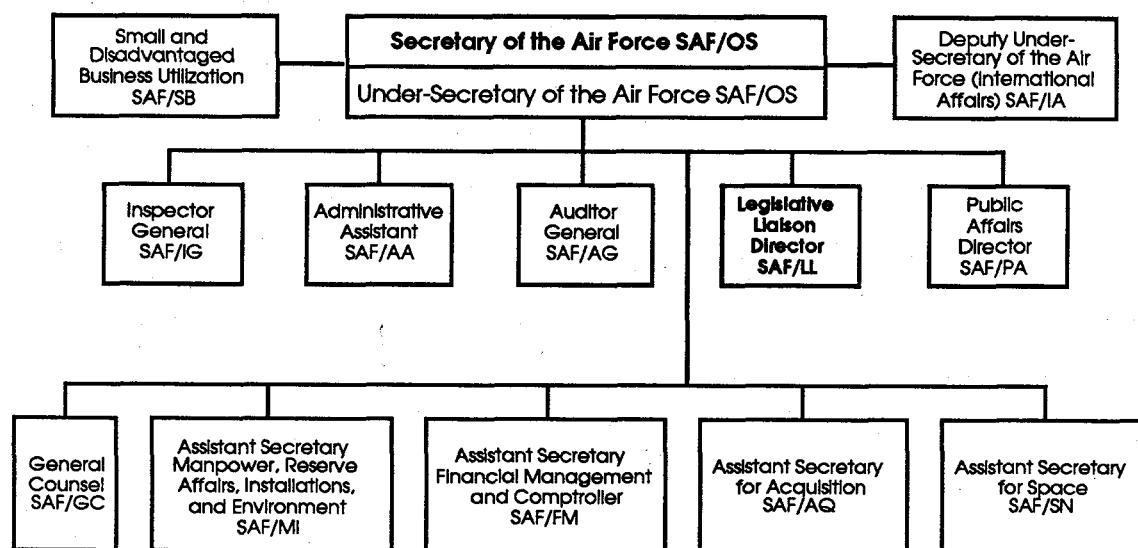
DOD Directive 5400.4 delineates policy on the provision of information to Congress [Ref. 11]. This directive is applicable to the Office of the Secretary of Defense, the military departments, the Organization of the

Joint Chiefs of Staff, the Unified and Specified Commands, and the Defense Agencies.

**Air Force Regulation 11-7:**

sets policies and explains responsibilities and procedures for maintaining effective relationships with Congress. It applies to all activities of the Air Force, Air Force Reserve, and Air National Guard. It also implements Department of Defense (DOD) Directive 5400.4. [Ref. 12]

Figure 3.1 demonstrates where the SAF/LL fits into the organization of the Department of the Air Force.



**Figure 3.1. Office of the Secretary of the Air Force**

This figure illustrates that the SAF/LL is directly responsible to the Secretary of the Air Force (SAF), even though the SAF/LL does not report to the Chief of Staff of the Air Force (CSAF). It must be understood that a strong dotted-line responsibility does exist between the SAF/LL and the CSAF. The personality of the CSAF will determine that office's scope of involvement in and demand for SAF/LL services. As stated in Chapter II,



there is no direct linkage between SAF/LL and OSD/LA, but OSD/LA does exert influence on the SAF/LL depending on the nature of the issue. The relationship between the SAF/LL and CSAF is discussed further in the last section of this chapter.

Figure 3.2 illustrates the internal organization of the SAF/LL.

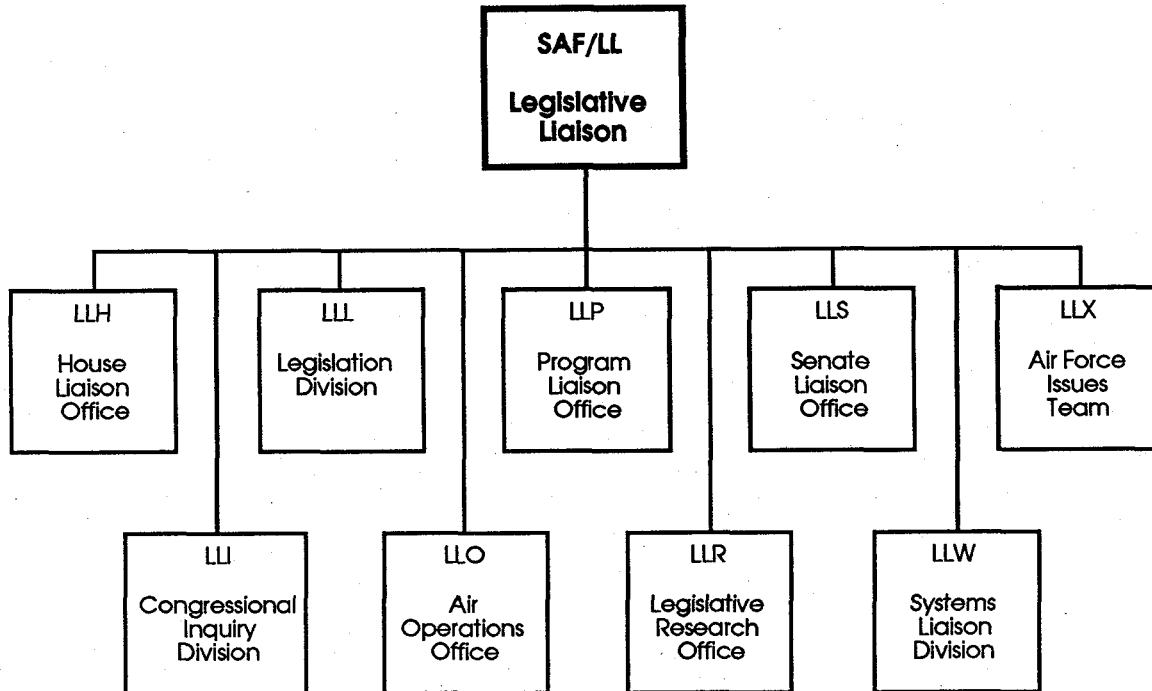


Figure 3.2. **Air Force Legislative Liaison**

One of the objectives of AFR 11-7 is to ensure that all contact between the Air Force and Congress is reported to the SAF/LL, where it can be monitored and reported as necessary to the SAF. AFR 11-7 repeatedly specifies the relationship that shall exist between the Department of the Air Force and the Congress. The regulation breaks this

relationship into many of its possible forms and delineates how specific situations are to be handled by the Air Force.

For example, AFR 11-7 states:

3. Responsibilities of the Secretary of the Air Force. The Secretary of the Air Force has final responsibility for the proper use of all information under the jurisdiction of the Air Force. [Ref. 12:Sect. B, p. 3]

## **B. FUNCTION**

This section categorizes the functions of the SAF/LL with respect to the criteria of Holtzman's model. As stated in Chapter II, there are three perspectives from which the legislative liaison functions must be addressed: the SAF/LL's responsibilities to the respective department's Secretary, the SAF/LL's responsibilities to Congress, and the congressional perspective of the legislative liaison functions.

This section addresses the first two perspectives of Holtzman's model. The congressional perspective of the legislative liaison function is discussed in Chapter VII. Any functions that do not fit Holtzman's model are highlighted and given their own designation.

### **1. SAF/LL's Responsibilities to SAF**

There is a strong correlation between the SAF/LL's responsibilities to the SAF and the following four functions as stated in Holtzman's model:

1. Adviser to the Secretary
2. Coordinator
3. Service expediter for Congress
4. Inside spokesman or legislative advocate [Ref. 1:pp. 21-24]

The following excerpts from AFR 11-7 support this correlation.

**a. Adviser to the Secretary**

SAF/LL advises and assists the Secretary of the Air Force on Air Force legislative affairs and congressional relations. [Ref. 12:Sect. B, p. 3]

**b. Coordinator**

SAF/LL is responsible for:

- a. developing, coordinating, and supervising the Air Force legislative program.
- c. Preparing and coordinating reports, testimony, and related statements on legislation to the...Congress, including scheduling and arranging for the presentation of legislative testimony before congressional committees. [Ref. 12:Sect. B, p. 3]

**c. Service Expediter for Congress**

SAF/LL is responsible for:

- g. Processing and preparing coordinated replies to correspondence and inquiries from members of Congress, the Executive Office of the President, the Office of the Vice-President, Cabinet members, governors, and state senators and representatives, as appropriate. [Ref. 12:Sect. B, p. 3]

**d. Inside Spokesman or Legislative Advocate**

SAF/LL is responsible for:

- b. Evaluating and reporting legislative matters about the Air Force, including the release of pertinent legislative information to proper Air Force officials and offices. [Ref. 12:Sect. B, p. 3]

**e. Translator**

The function of translator was suggested, through personnel interviews within the SAF/LL, as a fifth function to add to this part of Holtzman's model. This function goes beyond the roles of adviser and inside spokesman. The role of translator is based on the ability of the

SAF/LL to translate the written and spoken words of Congress into their real meaning with regard to pending and future legislative action. This is a subtle yet distinctive difference from the functions of adviser and inside spokesman.

The functions of adviser and inside spokesman rely on the official points of contact that are maintained between the SAF/LL and Congress. The translator function goes beyond these roles by its reliance on personal relations and the credibility that is established through frequent contact between the SAF/LL and Congress. This special relation between the SAF/LL and the Congress allows the SAF/LL to learn and understand the inner workings of Congress. Through this understanding, the SAF/LL is able to translate "congressional speak" into terms understandable to the SAF.

The evidence to support this function was documented in interviews with personnel within the SAF/LL. The SAF/LL staffs its office with an eye for personnel who have had previous experience with congressional relations and/or demonstrate the potential to adapt to congressional relations readily. This previous experience and/or adaptability is essential for the SAF/LL to maintain its ability to accomplish the function of translator.

## **2. SAF/LL's Responsibilities to Congress**

There is a strong correlation between the SAF/LL's responsibilities to Congress and three of the following four functions as stated in Holtzman's model:

### **1. Spokesman for the Secretary**

2. Intelligence agent
3. Lobbyist for the Department
4. Administrative agent [Ref. 1:pp. 24-30]

The following excerpts from AFR 11-7 support this correlation.

**a. Spokesman for the Secretary**

SAF/LL is responsible for:

- e. Processing and preparing replies to congressional inquiries, including arranging for presentation of testimony at committee hearings. [Ref. 12:Sect. B, p. 3]

**b. Intelligence Agent**

SAF/LL is responsible for:

1. Keeping a legislative research library as a repository for histories of significant legislation, and keeping other source records on congressional matters affecting Air Force operations. [Ref. 12:Sect. B, p. 3]

**c. Lobbyist for the Department**

This is not a function of the SAF/LL. The use of the term "lobbyist" is inappropriate for describing the functions of the military department OLLs. Title 18, U.S. Code, section 1913, states that the use of appropriated funds for lobbying is illegal and imposes criminal punishment for the violation of the law.

Holtzman's description of this function could be interpreted as violating the law. He states that the function of lobbyist is to present the Secretary's position to the Congress in order to have the department's legislation effectively processed.

The SAF/LL does present the Secretary's position to Congress and does oversee the processing of the department's legislation. However, the important difference is that the SAF/LL is presenting the Secretary's

position at the request of Congress. The oversight in the processing of the department's legislation comes about when the SAF/LL is responding to congressional action or providing essential information on pending and future legislation that affects the Air Force. Therefore, the SAF/LL action does not violate the intent of the lobbying restrictions.

**d. Administrative Agent**

SAF/LL is responsible for:

- m. Maintaining direct liaison with the Congress, the Offices of the President and the Vice-President, OSD, and other governmental agencies in connection with the above responsibilities. [Ref. 12:Sect. B, p. 3]

The function of educator is an addition to Holtzman's model. This function is supported through the wording contained in AFR 11-7.

**e. Educator**

SAF/LL is responsible for:

- K. Telling congressional members and committees about Air Force activities within their areas of interest. [Ref. 12:Sect. B, p. 3]

The SAF/LL's role is to provide the Congress with information necessary to make informed decisions. The information provided is that which was requested by the Congress and that which the SAF/LL decided was pertinent for the Congress to possess.

The main objective of this function is to provide all the information necessary for Congress to make informed decisions on all Air Force legislation. This education is accomplished through several methods. The most frequently used method is through personal briefs and presentations to the members and/or their staff. Perhaps the most effective method of education is through the use of congressional delegations

(CODELs). In this method, either the member requests or the department initiates a trip to the field in order to allow Congress to become familiar with Air Force activities first hand.

It is not a function of the SAF/LL to provide legislative liaison to the appropriations committees. Legislative liaison with the appropriations committees is the domain of the Budget office. AFR 11-7, in stating the responsibilities of the SAF/LL, specifically excludes appropriations and Title 10 U.S.C. 138<sup>1</sup> authorization matters. Further, AFR 11-7 states:

5. Responsibilities of the Director of Budget (HQ USAF/ACB). HQ USAF/ACB, under the guidance of the Assistant Secretary of the Air Force (Financial Management) (SAF/FM), is responsible for official liaison with the Senate and House Appropriations and Budget Committees, the Congressional Budget Office, OMB and OSD on all budgetary and appropriations matters. [Ref. 12:Sect. B, p. 5]

This discussion has highlighted the functions of the SAF/LL using Holtzman's model. The last section documents the actual operation of the SAF/LL.

### **C. OPERATION**

The actual operations of the SAF/LL are documented by AFR 11-7 and interviews with personnel in the SAF/LL. This documentation is accomplished by describing the day-to-day operations of the SAF/LL and

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<sup>1</sup>A prior provision of title 10 U.S.C. 138 was renumbered by Pub. L. 99-433. Basically, section 138 has been renumbered as parts of section 113 through section 116. These provisions refer to the annual authorization of appropriations, annual authorization of personnel strengths, annual manpower requirements report, and annual operations and maintenance report.

then stating the responsibilities of each of the nine divisions. In addition, this section will answer a myriad of implicit questions to further substantiate the SAF/LL operations.

The SAF/LL is commanded by a Major General (MGEN) who is referred to as the Chief of Legislative Liaison (CLL). The CLL has a Brigadier General (BGEN) as a deputy. The Office of the Director consists of four other personnel—an executive officer, an assistant executive officer, and two administrative assistants.

The Office of the Director coordinates all the SAF/LL activities, mainly through the use of staff meetings. Staff meetings are held twice weekly with all the division heads. These staff meetings provide the opportunity for information to be disseminated throughout the entire organization. They also provide a degree of internal control and an opportunity to assess how the SAF/LL is meeting its objectives.

#### **1. Assignment of Legislative Issues to be Worked by the SAF/LL**

The SAF/LL receives its guidance from the SAF (see Figure 3.1). This direction is most often not in the form of written direction/policy on specific issues; rather, it is disseminated through the frequent interaction of the SAF/LL and the SAF. This interaction occurs through meetings at the flag level as well as frequent contact between the two staffs.

The SAF also sets priorities for issues that need to be worked through input to publications such as *The United States Air Force Report to the 101st Congress* [Ref. 13] and *The Air Force Issues Book* [Ref. 14]. These documents are put together by the Air Force Issues team. The Air



Force Issues team was established by CSAF in September 1980 to serve the Air Force Staff as the focal point for facilitating the development and articulation of Air Force positions on selected issues. The issues team was aligned under SAF/LL in February 1990. The documents put together under the guidance of the Air Force Issues team contain the vision of where the Air Force is and where it needs to go.

The CSAF has input into SAF/LL affairs through interaction at both the flag and staff level. The degree of this involvement is a direct reflection of the personality of the CSAF. CSAF involvement has varied from presenting The Air Force Report to Congress and being present at necessary protocol events to having daily contact with the SAF/LL and personally being involved in the education of Congress with frequent visits to the Hill.

In addition to the issues presented by the SAF and the CSAF, the SAF/LL, through its nine divisions, tracks legislation and reports areas of interest to the SAF and the CSAF. These issues, in turn, may become priorities of the SAF/LL. Therefore, the SAF/LL has several points of input into the legislative issues it works—SAF, CSAF, OSD/LA (per Chapter II discussion), and information the SAF/LL gathers itself.

## **2. Divisional Responsibilities of the SAF/LL**

The SAF/LL issues are worked according to the specific areas of responsibility of the divisions. The following describes each of the nine divisions' (see Figure 3.2) areas of responsibility. The areas of responsibility are paraphrased from AFR 11-7.

The Air Operations office (LLO), whose officer-in-charge (OIC) is a Lieutenant Colonel (O5), consists of four personnel plus one mobilization augmentee. The LLO is located in the Pentagon. The following are its main areas of responsibility:

- Single point of contact to receive, coordinate, and process all travel requirements for members of Congress, congressional committees and congressional staff members when such travel is assigned to the Air Force by the Department of Defense or at the invitation of the Secretary of the Air Force.
- Validating office for all Office of the Secretary of the Air Force (OSAF) military air travel performed within the continental United States.

The Program Liaison office (LLP), whose OIC is a Colonel (O6), consists of seven personnel. The LLP is located in the Pentagon. The following are its main areas of responsibility:

- Makes most of the announcements regarding significant matters to interested Senators/Representatives (e.g., base closures, force structure realignments, all factors pertaining to publication of environmental impact statements, contract awards of \$3,000,000 and up, and contracting out announcements).

The Senate Liaison office (LLS), whose OIC is a Colonel (O6), consists of four personnel plus two mobilization augmentees. The LLS is located in the Senate Russell building. The following are its main areas of responsibility:

- Initial point of contact between the Air Force and the Senate.
- Deals with all facets of legislative activity (except appropriations).
- Primary escorts for Senate delegations.

The House Liaison office (LLH), whose OIC is a Colonel (O6), consists of four personnel plus one mobilization augmentee. The LLH is

located in the House Rayburn building. Its main areas of responsibility are simply the House equivalent of the Senate duties.

The Weapons Systems Liaison division (LLW), whose OIC is a Colonel (O6), consists of 12 personnel plus one mobilization augmentee. The LLW is located in the Pentagon. The following is its main area of responsibility:

- Focal point for all congressional committee inquiries, investigations, and legislative activity related to Air Force weapons systems (excluding appropriations matters).

The Legislation Liaison division (LLL), whose OIC is a Colonel (O6), consists of 12 personnel plus one mobilization augmentee. The LLL is located in the Pentagon. The following are its main areas of responsibility:

- Focal point on all legislative matters (excluding those related to weapons systems and appropriations) affecting the Air Force.
- Monitors committee/subcommittee actions, hearings, etc., related to the Military Construction Program, manpower and training needs, and legislative requirements in the personnel area.
- Responsible for the review and coordination of Air Force legislation (except appropriations).

The Congressional Inquiry division (LLI), whose OIC is a Colonel (O6), consists of two branches with a total of 26 personnel. The two branches within the division allocate the workload by states. The LLI is located in the Pentagon. The following are its main areas of responsibility:

- Air Force single point of contact for constituent inquiries (primarily personnel matters) from the White House and members of Congress.

- Assigns, monitors, and expedites Air Force Staff action in formulating responses to all inquiries.

The Legislative Research office (LLR), whose OIC is a civilian, consists of five personnel. The LLW is located in the Pentagon. The following are its main areas of responsibility:

- Disseminates information concerning congressional activities to the Air Force.
- Publishes documents such as: *Legislative Digest*, *Daily Hearing Schedule*, and the *Congressional Committee Book*.
- Provides biographical and legislative background information and material on members of Congress.

The Air Force Issues team (LLX), whose OIC is a Colonel (O6), consists of eight personnel. The LLX is located in the Pentagon. The following are its main areas of responsibility:

- Prepares the annual Air Force Posture Statement (Report to Congress) and the annual Air Force Issues Book.
- Manages preparation and support of SECAF and CSAF congressional testimony.
- Orchestrates authorization and appropriation follow-up.

These descriptions of the SAF/LL's nine divisions state the guidance followed by the SAF/LL in accomplishing its functions. The next section answers questions that further substantiate the SAF/LL operations.

### **3. Substantiation of the SAF/LL Operations**

The CLL is given wide discretion in the staffing of the SAF/LL. All candidates are screened by the Office of the Director of SAF/LL. Critical points of consideration are given to professional performance, warfare community, and mission experience. The Office of the Director SAF/LL

makes recommendations on candidates to the CLL. Based on this recommendation and a review of all three factors, the CLL selects the candidate who best meets the needs of the SAF/LL.

The purpose of this process is to try and maintain a wide array of warfare backgrounds in the SAF/LL. This broad experience base helps the SAF/LL to gain and maintain credibility. In order to fulfill the mission of educating the Congress, it is essential that the SAF/LL have credibility when discussing pending legislation and its effect on the Air Force. Therefore, warfare specialty is a key consideration when selecting candidates to work in the SAF/LL.

The SAF/LL maintains many points of contact with the Congress. The SAF/LL tries to follow up on contacts with the Congress through the appropriate division concerned. For example, the Senate and House divisions are responsible for direct contact with the members and their personnel staff, while the legislative and programs divisions are responsible for contact with the professional staffs. There are many areas of overlap and this is accounted for through constant communication within the staff and facilitated by staff meetings which keep everyone informed.

The SAF/LL is proactive or reactive to legislative issues, depending on priorities set by the SAF. In the proactive mode, the SAF/LL aggressively seeks to educate Congress through briefings, CODELS and testimony at committee hearings on a wide range of topics. In the reactive mood, the SAF/LL uses the same methods but limits the information presented to the area specifically requested by the Congress.

Legislative proceedings and issues are monitored throughout the SAF/LL organization. However, the research office is responsible for compiling these data and, among other duties, presenting a daily legislative summary. The dissemination of information by the research office allows the entire SAF/LL to track pertinent legislation.

The SAF/LL interaction with the Congressional Budget Office (CBO) is best described as responsive. The CBO was established in 1975 as a source of budget information for the Congress. The CBO contacts the SAF/LL when it needs specific information. The SAF/LL treats the CBO request the same as a congressional inquiry and provides the required information.

#### **D. SUMMARY**

The SAF/LL is a well-defined organization. AFR 11-7 articulates the responsibilities of the staff and gives guidelines in handling most situations. Interviews with SAF/LL personnel indicate that non-routine situations are efficiently assigned to and handled by the appropriate division with responsibility for the specific issue. The emphasis of the SAF/LL is to be the eyes and ears of the Department of the Air Force with regard to Air Force relations with Congress.

#### **IV. THE U.S. ARMY APPROACH TO LEGISLATIVE LIAISON**

This chapter documents the organization, function, and operation of the Office of the Chief of Legislative Liaison (OCLL) for the Army. The organization of the OCLL is documented by reference to Public Law, Department of Defense Directives, and Army regulations. The functions are assessed using Holtzman's model, as described in Chapter II. Actual operations are stated according to Army Regulation (AR) 1-20 and the perceptions of key personnel within the OCLL.

##### **A. ORGANIZATION**

The organization of the OCLL is based on three documents: Title 10, United States Code; Section 3014, DOD Directive 5400.4; and AR 1-20.

Title 10 provides the authorization for the office of the OCLL:

(c)(1) The Office of the Secretary of the Army shall have sole responsibility within the Office of the Secretary and the Army Staff for the following functions:

(F) Legislative affairs.

(2) The Secretary of the Army shall establish or designate a single office or other entity within the Office of the Secretary of the Army to conduct each function specified in paragraph (1). [Ref. 15:p. 742]

As stated in Chapter III, DOD Directive 5400.4 delineates policy on the provision of information to Congress and applies to all the military departments. [Ref. 11]

Army Regulation 1-20

contains policy guidance and procedures for legislative and congressional activities....This regulation applies to the Active Army and the

U.S. Army Reserve. It does not apply to the Army National Guard.  
[Ref. 16:p. 1]

Figure 4.1 demonstrates where the OCLL fits into the organization of the Department of the Army (DA).

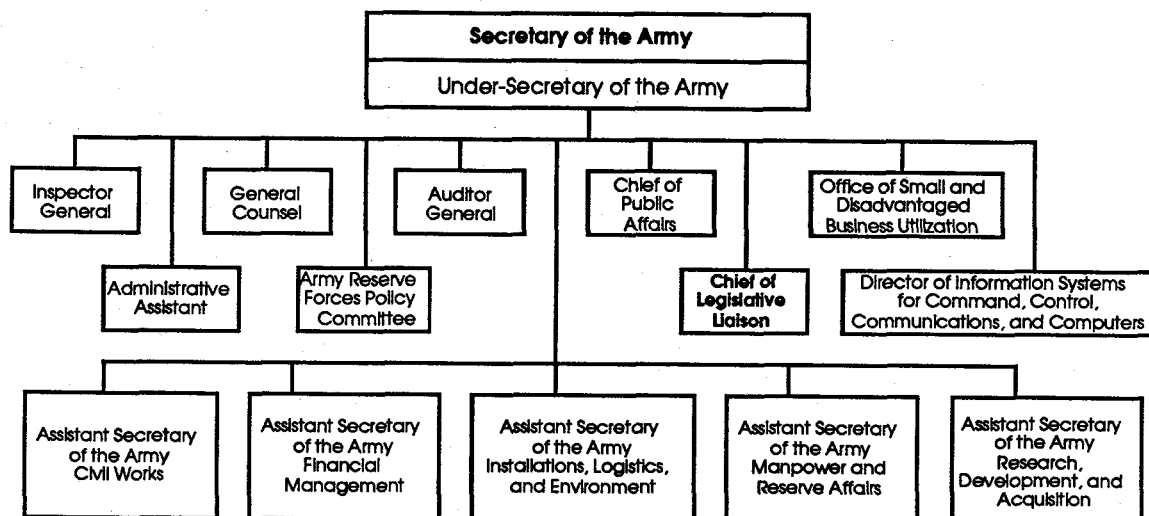


Figure 4.1. **Headquarters, Department of the Army**

This figure illustrates that the OCLL is directly responsible to the Secretary of the Army (SA). The OCLL is also responsive to the Chief of Staff of the Army (CSA). AR 1-20 states that "The Chief of Legislative Liaison (CLL) is directly responsible to the Secretary of the Army and responds to the Office of the Chief of Staff when required." [Ref. 16:p. 3] While OCLL is responsive to the CSA, it is the personality of the CSA that determines that office's scope of involvement in and demand of OCLL services. As stated in Chapter II, there is no direct linkage between OCLL and OSD/LA, although OSD/LA does influence the OCLL, depending on the nature of the legislation involved. The relationship between the OCLL and CSA is discussed further in the last section of this chapter.



Figure 4.2 illustrates the internal organization of the OCLL.

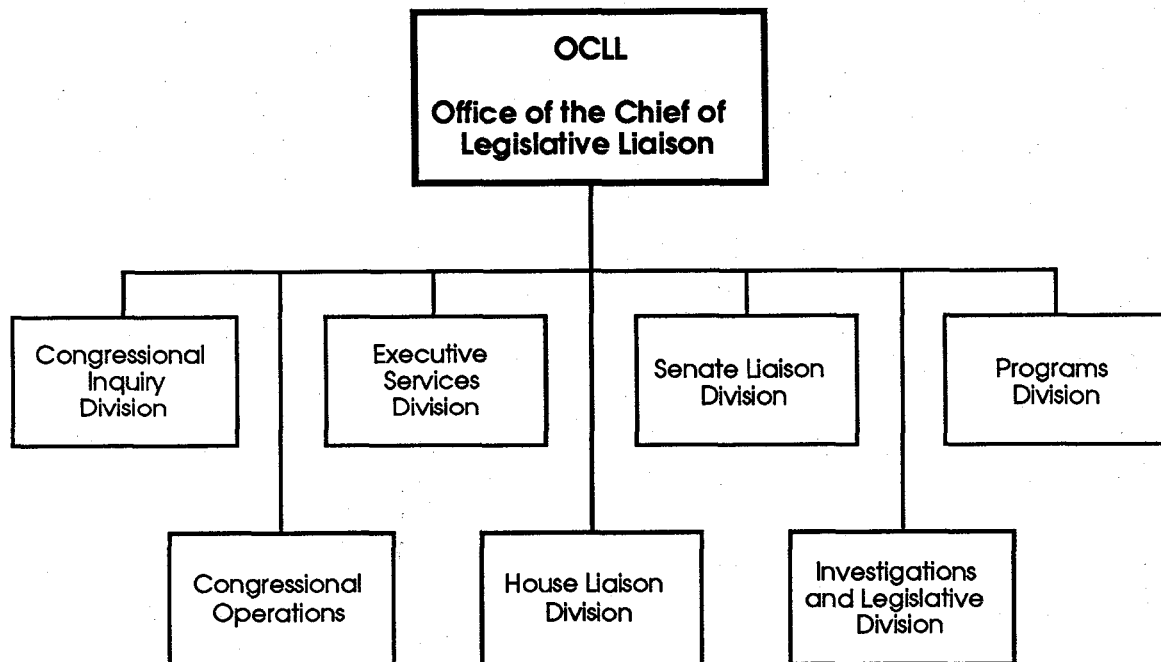


Figure 4.2. **Army Legislative Liaison**

One of the objectives of AR 1-20 is to facilitate contact between the Army and the Congress. For example, AR 1-20 states that

Contacts between commanders and officials of the Army and Members of Congress are encouraged. ... Contacts will be reported to the Office of the Chief of Legislative Liaison. [Ref. 16:p. 4]

Army Regulation 1-20, while trying to maintain a coordinated effort, does not try to inhibit the contact of Army personnel with the Congress. The regulation states this several times throughout the regulation:

Note: No provision of this regulation is intended to restrict the right of any individual to communicate with a Member of Congress. No person may take (or threaten to take) an unfavorable personnel action or withhold (or threaten to withhold) a favorable personnel action, as reprisal against a member of the Armed Forces for making

or preparing a communication to a Member of Congress (Public Law 100-456 [10 USC 1034]). [Ref. 16:p. 7]

## **B. FUNCTION**

As stated in Chapter II, there are three perspectives from which the legislative liaison functions must be addressed: the OCLL's responsibilities to the respective department's Secretary, the OCLL's responsibilities to Congress, and the congressional perspective of the legislative liaison functions.

This section addresses the first two perspectives of Holtzman's model. The third perspective, congressional perspective of the legislative liaison function, is discussed in Chapter VII. Any functions that do not fit Holtzman's model are highlighted and given their own designation.

### **1. OCLL's Responsibilities to SA**

There is a strong correlation between the OCLL's responsibilities to the SA and the following four functions as stated in Holtzman's model:

1. Adviser to the Secretary
2. Coordinator
3. Service expediter for Congress
4. Inside spokesman or legislative advocate [Ref. 1:pp. 21-24]

The following excerpts from AR 1-20 support this correlation.

#### **a. Adviser to the Secretary**

The CLL will—Advise on the status of congressional affairs affecting the Army and on legislative aspects of Army policies, plans, and programs." [Ref. 1:pp. 21-24]

**b. Coordinator**

The CLL will— Act as a point of Contact for DA with Members of Congress, their staffs, and all relevant committees except the appropriations committees. [Ref. 1:pp. 21-24]

**c. Service Expediter for Congress**

The CLL will— Give prompt, coordinated, consistent, and factual information on Army policies and operations in response to inquiries received from Members or congressional committees. [Ref. 1:pp. 21-24]

**d. Inside Spokesman or Legislative Advocate**

The CLL will— Coordinate, monitor, and report legislative and investigative actions of interest to the Army and provide advice to Army witnesses called to appear before legislative or investigative committees. [Ref. 1:pp. 21-24]

**e. Translator**

In addition to Holtzman's model, a fifth function was documented—that of translator. This function goes beyond simply monitoring and relaying information from the Congress to the Secretary. It involves the ability of the OCLL to restate "congressional speak" into terms that are understandable by the Secretary.

The function of translator is not explicitly described in Army regulations. This function was documented through interviews with personnel within the OCLL. It was noted that to an outside observer, congressional actions, words, and the final legislative product seldom seem to corroborate each other. It was stated that it takes a full year for new personnel within the OCLL to learn the ways of Congress before those personnel are able to consistently contribute to the efforts of the OCLL. This learning period is an example of the importance of the translator function.

## **2. OCLL's Responsibilities to Congress**

There is a strong correlation between the OCLL's responsibilities to Congress and the following four functions as stated in Holtzman's model:

1. Spokesman for the Secretary
2. Intelligence agent
3. Lobbyist for the Department
4. Administrative agent [Ref. 1:pp. 24-30]

AR 1-20 explicitly supports a correlation to the spokesman for the Secretary function with the following excerpt.

### ***a. Spokesman for the Secretary***

Information to be provided the Congress on broad Army plans, operations, and activities normally will be prepared (to include coordination and internal clearance) by the DA Staff according to requests by the CLL. The CLL will, when pertinent, obtain OSD clearance of this information and properly distribute the material to appropriate elements of the Congress. [Ref. 1:p. 9]

The remainder of the functions are supported through direct observations and the statements of key OCLL personnel who were interviewed.

### ***b. Intelligence Agent***

This area is not explicitly covered in AR 1-20. The OCLL has a congressional legislative research branch which coordinates this function. After interviewing personnel within the OCLL, it was found that the intelligence function is a critical function performed through the daily contact of the OCLL with Congress. In other words, OCLL performs this function even though it is not a formal or statutory requirement.

**c. Lobbyist for the Department**

As discussed in Chapter III, the use of the term "lobbyist" is inappropriate for describing the functions of the military department OLLs. Public law prevents the use of appropriated funds for lobbying and imposes criminal punishment for the violation of the law. Holtzman describes this function as presenting the Secretary's position to the Congress in order to have the department's legislation effectively processed. This could be interpreted as breaking the law.

**d. Administrative Agent**

This area is not explicitly covered in AR 1-20. There is coordination with the OMB and OSD on legislation that merits that level of attention, such as new policy formulation or the legislation having an effect on all the military departments. OMB issues are worked through the interaction of OMB and OSD staffs. OSD/LA then coordinates the issues directly with the OCLL staff.

As discussed in Chapter II, OSD/LA has no direct authority over the military department OLLs. However, OSD/LA coordinates high visibility issues directly with the military department OLLs. This direct coordination between the OSD/LA and military department OLLs fulfills the function of administrative agent as stated by Holtzman, even though it is not required by regulation.

**e. Educator**

An addition to Holtzman's model is the function of educator. This function of the OCLL provides the Congress with information necessary to make informed decisions. The information provided is both

information that was requested by the Congress and information the OCLL decided the Congress should possess.

Evidence of this function is documented through the day-to-day operations of the OCLL. This function is accomplished through the OCLL giving briefings, arranging for testimony to be presented before committees, and accompanying congressional staff and members of Congress on CODELs. Additional documentation of this goal was obtained through personnel who were interviewed. One of the functions of the OCLL, they stated, was to provide the Congress with "focused information" so as to educate the Congress regarding Army legislation.

It is not a function of the OCLL to provide legislative liaison to the appropriations committees. Legislative liaison with the appropriations committees is the domain of the Assistant Secretary of the Army for Financial Management (ASA[FM]). AR 1-20 states that "The Assistant Secretary of the Army for Financial Management (ASA(FM)) is responsible for liaison with the appropriations committees and their staffs." [Ref. 1:p. 9] AR 1-20 also excludes the OCLL from appropriation matters by stating that "The CLL will— Provide liaison between the Army and committees of Congress, except for appropriations committees, civil works, and printing." [Ref. 1:p. 9]

The above has highlighted the stated functions of the OCLL as compared to those of Holtzman's model. The last section documents the actual operation of the OCLL.

### **C. OPERATION**

The actual operations of the OCLL are documented through AR 1-20 and interviews with personnel in the OCLL. This documentation is accomplished by describing the day-to-day operations of the OCLL, using information from interviews and direct observation, and then describing the responsibilities of each of the seven divisions. In addition, this section will answer several implicit questions to further substantiate the OCLL operations.

The OCLL is commanded by a Major General (MGEN) who is referred to as the Chief of Legislative Liaison (CLL). Until the spring of 1990, the CLL had a Brigadier General (BGEN) as a deputy. The BGEN billet is now vacant and is proposed to be eliminated, as one of the flag billets the Army will lose in the current down-sizing of the military departments. The Office of the Chief consists of four other personnel—a special assistant for legislative affairs, an executive officer, and two secretaries.

The Office of the Chief coordinates all the OCLL activities. This coordination is facilitated through weekly staff meetings with all the division heads. These staff meetings provide the opportunity for information to be disseminated throughout the entire organization. The staff meetings also provide a degree of internal control and an opportunity to assess how the OCLL is meeting its objectives.

#### **1. Assignment of Legislative Issues to be Worked by the OCLL**

The OCLL receives its guidance from the SA (see Figure 4.1). This direction is most often not in the form of written direction on specific issues; rather, it is disseminated through the frequent

interaction of the OCLL and the SA. This interaction occurs through meetings at the flag level as well as frequent contact between the two staffs.

The Association of the United States Army publishes annually, in their October issue of *Army*, a series of articles known as the "Green Book." The Green Book is published with input from the SA and the CSA. It describes the current status of the Army and gives direction to the future of the Army. This publication is an authoritative pronouncement of the priorities of the SA and the CSA. This is an informal method in which the OCLL is able to assign and coordinate efforts in its office to correspond with those priorities of the SA and CSA.

The degree of CSA involvement in the OCLL is a direct reflection of the personality of the CSA. The CSA involvement has varied from making the required annual report to the Congress and being present at necessary protocol events, to having daily contact with the OCLL and personally being involved in the education of Congress with frequent visits to the hill. As stated in AR 1-20, the OCLL is responsive to the CSA.

In addition to the issues presented by the SA and the CSA, the OCLL tracks all legislation (except appropriations) that will affect the Army. Therefore, the OCLL has several areas of input into the legislative issues it works—SA, CSA, OSD (LA) (per Chapter II discussion), and information the OCLL gathers itself.



## **2. Divisional Responsibilities of the OCLL**

The OCLL is broken down into seven divisions (see Figure 4.2). Each division has its own specific areas of responsibility. The areas of responsibility are paraphrased from AR 1-20.

The Congressional Operations Division, whose OIC is a civilian, consists of three personnel. The division is located in the Pentagon. The following is its main area of responsibility:

- It is the single point of contact to receive, coordinate and process all travel requirements for members of Congress, congressional committees, and congressional staff members.

The Programs division, whose OIC is a Colonel (O6), consists of 18 personnel. The programs division is divided into three areas: Hardware Team, Policy Team, and Congressional/Legislative Research Branch. The division is located in the Pentagon. The following are its main areas of responsibility:

- The hardware team maintains contact with the members and professional staff who have oversight of specific weapons systems. The team arranges for testimony of DA witnesses before Congress and provides education on particular DA weapons issues.
- The policy team provides information to Congress on all issues of interest, including base closures, military construction, force structure realignments, manpower issues, and the awarding of significant contracts.
- The research branch is responsible for providing the OCLL with daily legislative summaries, maintaining open-source background information on Congress, and maintaining historical files of pertinent legislation that affects the Army.

The Senate Liaison Division, whose OIC is a Colonel (O6), consists of six personnel. The division is located in the Senate Russell building. The following are its main areas of responsibility:

- Initial point of contact between the Army and the Senate.
- Deals with all facets of legislative activity.
- Primary escorts for Senate delegations.
- Initiates response to telephonic inquiries and refers written inquiries to the Congressional Investigation Division (CID).

The House Liaison Division, whose OIC is a Colonel (O6), consists of eight personnel. The division is located in the House Rayburn building. Its main areas of responsibility are simply the House equivalent of the Senate duties.

The Investigation and Legislative Divisions, whose OIC is a colonel (O6), consists of nine personnel. The unit is located in the Pentagon. The main areas of responsibility for the division are to:

- Provide review of all legislation, present and proposed, that has an effect on the Army.
- Assist in the preparation of DA testimony to congressional committees.
- Assist all congressional investigations within the Army.

The Congressional Inquiry Division, whose OIC is a Colonel (O6), consists of 52 personnel. The division is divided into two branches: (1) the Special Actions Branch, and (2) the Correspondence Branch, which is further divided into four action teams plus a mail and records team. The division is located in the Pentagon. The following are its main areas of responsibility:

- Army single point of contact for all written congressional inquiries.
- Provides a consistent and uniform DA response to all inquiries.
- Handles letters for the Secretary of the Army or the CLL.

The Executive Services Division, whose Officer-in-Charge (OIC) is a Colonel (O6), consists of three personnel. The division is located in the Pentagon, where it handles all the overhead functions of the OCLL including administrative and personnel matters.

These descriptions of the OCLL's seven divisions state the guidance followed by the OCLL in accomplishing their functions. The next section of this chapter further substantiates the OCLL operations by discussing the operation of the OCLL in broader terms.

### **3. Substantiation of the OCLL Operations**

The CLL is given wide discretion in the staffing of the OCLL. All candidates are screened by the Office of the Chief. Critical points of consideration are given to previous duty performance, branch designation, and previous duty assignments. The Office of the Chief makes recommendations on candidates to the CLL. Based on these recommendations and a review of all three factors, the CLL selects the candidate that best meets the needs of the OCLL.

The purpose of this process is to try and maintain a wide array of troop and field experience in the OCLL. This broad experience base helps the OCLL to gain and maintain credibility. In order to fulfill the mission of educating the Congress, it is essential that the OCLL have credibility when discussing pending legislation and its affect on the Army. Therefore, warfare specialty is a key consideration when selecting candidates to work in the OCLL.

The many points of contact between the Army and Congress are directed to the divisions responsible, based upon the source of the

request for information. The Senate and House divisions are responsible for direct contact with the members of Congress and their personnel staff, while the programs division is responsible for contact with the professional staffs. These assignments of responsibility are accounted for through constant communication within the staff and facilitated by staff meetings.

The OCLL is proactive or reactive to legislative issues, depending on priorities set by the SA. No distinction is made by the OCLL as to whether the issue was requested by the Congress or originated in the OCLL. The OCLL, in both instances, strives to provide focused information in order to educate the Congress through briefings, CODELS, and testimony at committee hearings.

Legislative proceedings and issues are monitored throughout the OCLL organization. This falls under the function of intelligence agent. The OCLL congressional/legislative research branch acts as a coordinator of this information by providing daily legislative summaries and maintaining files on legislative issues that affect the Army. In addition to the congressional/legislative research branch function, communications at the weekly staff meeting allow the entire OCLL to track pertinent legislation.

The OCLL interaction with the Congressional Budget Office (CBO) is the same as described in Chapter III for the Air Force. That is, the OCLL does not initiate contact with the CBO but responds to the CBO's requests for information as if they were congressional requests.

#### **D. SUMMARY**

The OCLL is a well-defined organization. AR 1-20 articulates the responsibilities of the staff and gives guidance to how they are to conduct liaison with the Congress. Interviews with personnel within OCLL indicate that non-routine situations are closely monitored by the Office of the Chief. The emphasis of the OCLL is to provide focused information to the Congress.

## **V. THE U.S. NAVY APPROACH TO LEGISLATIVE LIAISON**

This chapter documents the organization, function, and operation of the Office of Legislative Affairs (OLA) for the Navy. The organization of the OLA is documented through reference to Public Law, Department of Defense Directives, and Navy Instructions. The functions are assessed using Holtzman's model, as discussed in Chapter II. Actual operations are stated according to Navy Instructions and the perceptions of key personnel within the OLA.

### **A. ORGANIZATION**

The organization of the OLA is based on five documents: Title 10, United States Code, Section 5014; DOD Directive 5400.4; Secretary of the Navy Instruction (SECNAVINST) 5430.26D; Office of Legislative Affairs Instruction (OLAINST) 5430.1F; and SECNAVINST 5730.5G.

Title 10 provides the authorization for the office of the OLA:

(c)(1) The Office of the Secretary of the Navy shall have sole responsibility within the Office of the Secretary of the Navy, the Office of the Chief of Naval Operations, and the Headquarters, Marine Corps, for the following functions:

(F) Legislative affairs.

(2) The Secretary of the Navy shall establish or designate a single office or other entity within the Office of the Secretary of the Navy to conduct each function specified in paragraph (1). [Ref. 17:p. 902]

As stated in Chapter III, DOD Directive 5400.4 delineates policy on the provision of information to Congress and applies to all the military departments. [Ref. 11]

SECNAVINST 5430.26D states the mission, function, and responsibilities of the OLA. The following quote from SECNAVINST 5430.26D highlights the organizational authority of the OLA:

The Office of Legislative Affairs is a Department of the Navy Staff Office headed by the Chief of Legislative Affairs (CLA)...The CLA is assigned the authority and responsibility...extending to relationships and transactions with all activities of the Department of the Navy (DON) and other governmental and non-governmental organizations and individuals. No other office...shall be established...within the DON to conduct legislative affairs functions except under the direction of the OLA. [Ref. 18:p. 1]

OLAINST 54310.1F is the organizational manual for the OLA. This instruction states the mission, function, and organization of the OLA from the perspective of the OLA.

The title of SECNAVINST 5730.5G is "Procedures for the Handling of Naval Legislative Affairs and Congressional Relations." The instruction's stated purpose is to "prescribe procedures for the conduct of the congressional affairs of the Department of the Navy." [Ref. 19:p. 1] This instruction enables the OLA to be the central clearing agency for all contact (except appropriations matters) between the DON and the Congress. SECNAVINST 5730.5G states that

The following procedures will be used in replying to congressional inquiries: Normally, congressional committee inquiries are addressed to the Chief of Legislative Affairs...When an investigative inquiry is received by a Navy Department component directly, the Chief of Legislative Affairs will be notified immediately. The Chief of Legislative Affairs will establish direct communication with the source of the inquiry in the Congress. [Ref. 19:p. 5]

Figure 5.1 demonstrates where the OLA fits into the organization of the Department of the Navy (DON).

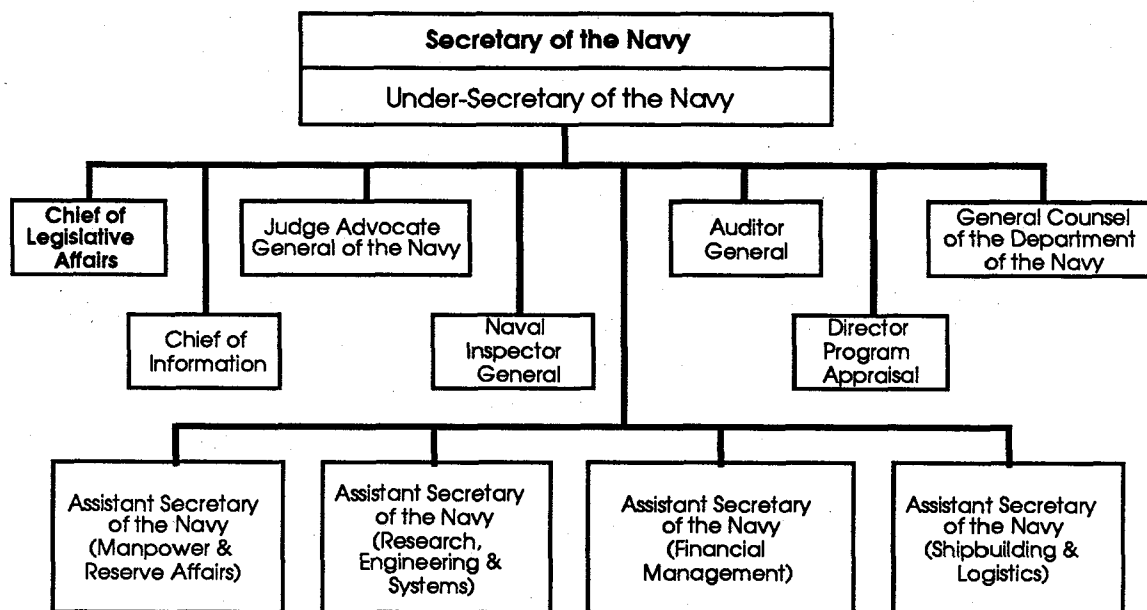


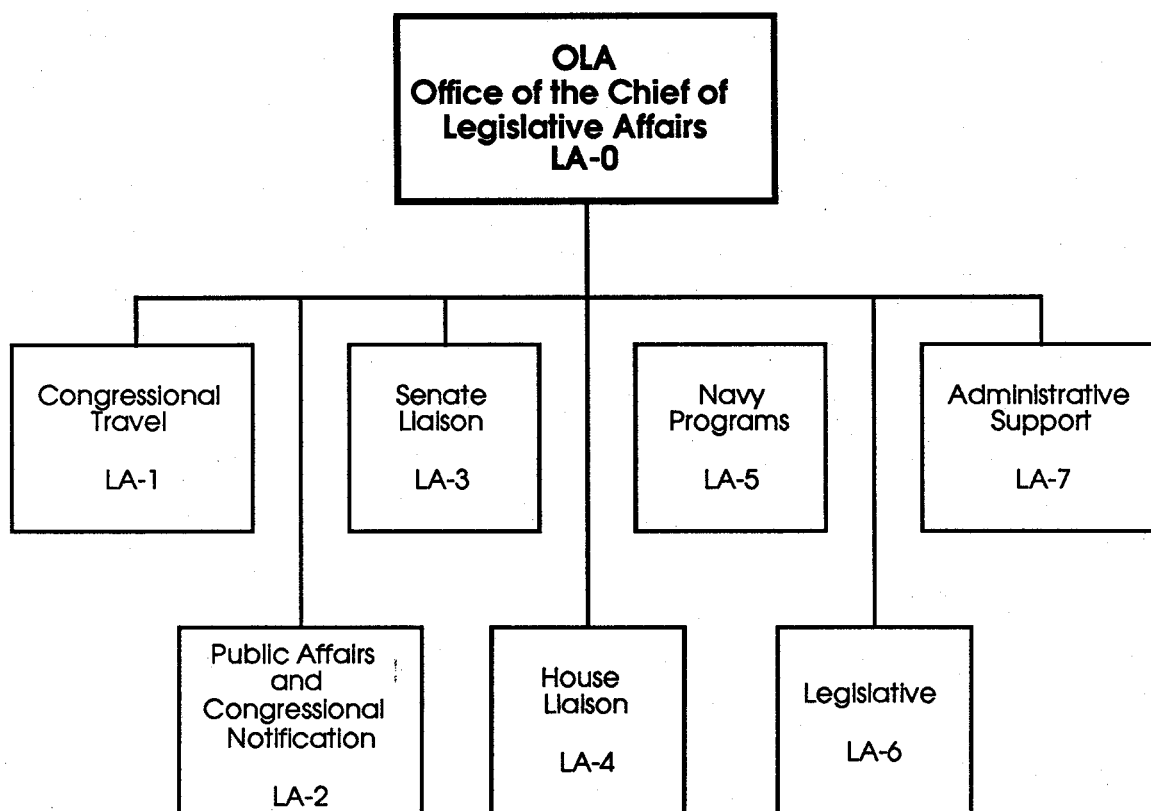
Figure 5.1. **Office of Secretary of the Navy**

While the organizational chart depicts the OLA as being directly responsible only to the SECNAV, the OLA does provide services to the CNO and the Commandant of the Marine Corps (CMC). SECNAVINST 5430.26D acknowledges these OLA responsibilities by stating that the "Mission of OLA is to— Provide all information, assistance, and staff support required by the Chief of Naval Operations (CNO) and the Commandant of the Marine Corps (CMC) for the proper performance of their duties and responsibilities." [Ref. 18:p. 2]

The relationship of the OLA to the CNO and the CMC is a direct reflection of the personalities of the CNO and CMC and is discussed further in the last section of this chapter. As stated in Chapter II, there is no direct linkage between OLA and OSD (LA), although OSD (LA) does influence the OLA, depending on the nature of the legislation involved.

Figure 5.2 illustrates the internal organization of the OLA.





**Figure 5.2. Navy Legislative Liaison**

The internal organization of the OLA appears to be somewhat fragmented. The Deputy Chief of Legislative Affairs Marine Corps (DCLA(MC)) is a Marine Corps flag officer whose office is located in the Navy Annex, separate from the Office of the OLA which is located in the Pentagon. The DCLA(MC) has direct access to the SECNAV on Marine Corps issues but maintains reporting responsibilities to the CLA. SECNAVINST 5430.26D states this authority and responsibility as follows:

The CLA is assisted by a Deputy Chief of Legislative Affairs for Marine Corps (DCLA(MC)) matters who shall serve as the principal assistant to the CLA for Marine Corps matters. As the CLA will normally be a Navy flag officer, the DCLA(MC) may report directly to the Secretary regarding matters related solely to the Marine Corps. At the same time, the DCLA(MC) is required to keep the Chief informed

regarding all independent contacts with UNDERSECNAV/SECNAV.  
[Ref. 18:p. 1]

Therefore, even though the DCLA(MC) is located apart from the CLA and has direct access to the SECNAV, the DCLA(MC) is responsible to the CLA. This thesis acknowledges the independence of the DCLA(MC) within the OLA and not apart from it. Therefore, this thesis will not distinguish between the OLA and DCLA(MC) in documenting the organization, functions, and operation of the OLA.

## **B. FUNCTION**

Following Holtzman's model, there are three perspectives from which the legislative liaison functions must be addressed. They are the perspective of the OLA's responsibilities to the respective department's Secretary, the OLA's responsibilities to Congress, and the congressional perspective of the legislative liaison functions.

This section addresses the first two perspectives of Holtzman's model. The third perspective, the congressional perspective of the legislative liaison function, is discussed in Chapter VII. Any functions that do not fit Holtzman's model are highlighted and given their own designation.

### **1. OLA's Responsibilities to SECNAV**

There is a strong correlation between the OLA's responsibilities to the SECNAV and the following four functions as stated in Holtzman's model:

1. Adviser to the Secretary
2. Coordinator
3. Service expediter for Congress

4. Inside spokesman or legislative advocate [Ref. 1:pp. 21-24]

The following excerpts from Navy instructions support this correlation.

**a. *Adviser to the Secretary***

The mission of the OLA is to: Provide staff support, advice, and assistance to the Secretary of the Navy... concerning Congressional aspects of the Department of the Navy (except Appropriations Committees and Joint Committee on Printing matters). [Ref. 20:p. 1]

**b. *Coordinator***

The mission of the OLA is to: Plan, develop and coordinate relationships among representatives of the Department of the Navy and Members or committees of the United States Congress and their staffs (except Appropriations Committees and Joint Committee on Printing matters). [Ref. 20:p. 1]

**c. *Service Expediter for Congress***

The CLA shall: Develop, coordinate, and process Department of the Navy actions relating to Congressional investigations and other pertinent matters affecting the relations of the Department with the Congress. [Ref. 20:p. 3]

**d. *Inside Spokesman or Legislative Advocate***

The Director will...Maintain liaison with Congressional personnel, particularly committee staff counsel and professional staff members, in order to obtain Congressional views on pending or contemplated legislation, to express the Navy's position thereon, and to best achieve the result of the Department of the Navy. [Ref. 20:p. 19]

**e. *Translator***

In addition to Holtzman's model, a fifth function was documented, that of translator. This is the same function as described in Chapters III and IV. It is the ability to restate "congressional speak" into understandable terms for the Secretary.

The evidence for this function is documented in the interviews of personnel within the OLA. It was stated that the key factor to

being a successful member of the OLA's staff was experience. The OLA estimates it takes nine months to a year before new personnel are able to contribute to the OLA's legislative efforts. This time requirement is a necessary factor to learn and understand congressional speak.

## **2. OLA's Responsibilities to Congress**

There is a strong correlation between the OLA's responsibilities to Congress and the following four functions as stated in Holtzman's model:

1. Spokesman for the Secretary
2. Intelligence agent
3. Lobbyist for the Department
4. Administrative agent [Ref. 1:pp. 24-30]

The following excerpts from Navy instructions support this correlation.

### ***a. Spokesman for the Secretary***

The Chief of Legislative Affairs will furnish Members of Congress with current information concerning naval matters affecting their respective states and districts, or which are otherwise of potential interest to the Members of Congress. [Ref. 19:p. 2]

### ***b. Intelligence Agent***

The OLA...Monitors and evaluates Congressional proceedings and other Congressional actions affecting the DON. Disseminate pertinent information to appropriate Department of Defense officials and offices. [Ref. 19:p. 3]

### ***c. Lobbyist for the Department***

As discussed in Chapters III and IV, the use of the term "lobbyist" is inappropriate for describing the functions of the military department OLLs. It is illegal to use appropriated funds for lobbying.

Holtzman's criteria for this function could be interpreted as breaking that law. No evidence was documented to show the OLA is involved in this function.

**d. Administrative Agent**

The CLA shall: Develop, coordinate, and process Department of the Navy actions relating to proposed legislation, Executive Orders, and Presidential Proclamations sponsored by or officially referred to the Navy Department. [Ref. 20:p. 3]

**e. Educator**

An addition to Holtzman's model is the function of educator. This function is that of the OLA providing the Congress with information necessary to make informed decisions. The OLA accomplishes this function through briefings, arranging for testimony to be presented before committees, and accompanying congressional staff and members of Congress on CODELs.

It is not a function of the OLA to provide legislative liaison to the appropriations committees. Legislative liaison with the appropriations committees is the domain of the Comptroller of the Navy. SECNAVINST 5730.5G excludes this area by stating that the OLA is responsible for all legislative liaison except "Relations in all matters dealing with the Navy Department budget and liaison with the Appropriations Committees of the Congress on appropriation matters which are handled by the Comptroller of the Navy." [Ref. 19:p. 1]

The above discussion highlighted the stated functions of the OLA in terms of Holtzman's model. The last section documents the actual operation of the OLA.

### **C. OPERATION**

The actual operations of the OLA are documented from Navy instructions and interviews with personnel in the OLA. This documentation is accomplished by describing the day-to-day operations of the OLA and then stating the responsibilities of each of the seven divisions. In addition, this section will answer a number of implicit questions to further substantiate the OLA operations.

The OLA is commanded by a Rear Admiral (LH) who is the Chief of Legislative Affairs (CLA). The CLA has two deputies, the DCLA(MC), who is a Marine Corps flag officer, and the DCLA, who is a Navy Captain. The Office of the CLA consists of four other personnel— an executive assistant to the CLA, the admiral's writer, a staff assistant, and a yeoman.

The Office of the CLA coordinates all the OLA activities. This coordination is facilitated through daily staff meetings with all the division heads. These staff meetings provide the opportunity for information to be disseminated throughout the entire organization. They prepare the CLA for his morning meeting with the CNO and afternoon meeting with the SECNAV. The staff meetings also provide a degree of internal control and an opportunity to assess whether the OLA's objectives are being met.

#### **1. Assignment of Legislative Issues to be Worked by the OLA**

The OLA receives its guidance from the SECNAV (see Figure 5.1). The SECNAV tasks the CLA to provide political insight into current and proposed legislation that will affect the Navy. This direction is most often not in the form of written direction or policy on specific issues; rather, it is disseminated verbally through the frequent interaction of the

OLA and the Office of the SECNAV. This interaction occurs through meetings at the flag level as well as frequent contact between the two staffs.

The CNO has input into the OLA issues through interaction at both the flag and staff level. As per SECNAVINST 5430.26D, "the CNO and the CMC shall have full access to the OLA; and the CLA shall ensure that the OLA is completely responsive to their needs for support and assistance." [Ref. 18:p. 2] The degree of this involvement is a direct reflection of the personality of the CNO. This involvement varies from the CNO only making his annual posture statement to the CNO personally being involved in the education of Congress with frequent visits to the hill.

In addition to the issues presented by the SECNAV and the CNO, the OLA, through its seven divisions, tracks current and proposed legislation through the Congress. Therefore, the OLA has several areas of input into the legislative issues it works—SECNAV, CNO, OSD/LA (per Chapter II discussion), and information the OLA gathers itself.

## **2. Divisional Responsibilities of the OLA**

The OLA is broken down into seven divisions (see Figure 5.2), Legislative Affairs one through seven (LA-1,7). Each division has its own specific areas of responsibility. The areas of responsibilities are paraphrased from Navy instructions.

The Congressional Travel Division (LA-1), whose director is a civilian, consists of three personnel. LA-1 is located in the Pentagon. Its main area of responsibility is to coordinate and process all congressional travel requirements assigned to the SECNAV.

The Public Affairs and Congressional Notifications Division (LA-2), whose director is a Commander (O5), consists of four personnel. LA-2 is located in the Pentagon. Its main area of responsibility is to collect, coordinate, and disseminate information to congressional members and appropriate committees involving significant CON activities, programs, and contract awards which affect a member's state or district or a committees' area of jurisdiction.

The Senate Liaison Division (LA-3), whose director is a Captain (O6), consists of eight personnel. The division is located in the Senate Russell building. The following are its main areas of responsibility:

- Initial point of contact between the Navy and the Senate.
- Provide constituent case service to members of the Senate regarding Navy and Marine Corps personnel.
- Assist LA-5 and LA-6 as required, in providing information/education to members and staffs as may be requested or required on specific programs.
- Deal with all facets of legislative activity.
- Serve as primary escorts for Senate delegations.

The House Liaison Division (LA-4), whose director is a Captain (O6), consists of 10 personnel. The division is located in the House Rayburn building. Its main areas of responsibility are simply the House equivalent of the Senate duties.

The Programs Division (LA-5), whose director is a Captain (O6), consists of 14 personnel. LA-5 is located in the Pentagon. The following are its main areas of responsibility:

- Provide direct liaison with the Armed Services Committees in matters pertaining to congressional authorization of Navy weapons



systems, research and development programs and operations and maintenance funds.

- Provide liaison to Budget Committees on government operations with matters involving investigations and inquiries into the Navy.
- Prepare Navy witnesses' appearances before the Senate and House Committees on Armed Services and other committees, as required, in connection with formal authorization hearings.

The Legislative Division (LA-6), whose director is a Captain (O6), consists of 15 personnel. LA-6 is located in the Pentagon. The following are its main areas of responsibility:

- Function as the principal advisor regarding legislation or proposed legislation of interest to the DON.
- "Ensure arrangements are completed for preliminary conferences with congressional staff members prior to scheduled formal hearings. Assign a legislative officer to attend the hearings, assist therein, and to note the Scope of interest of the Members..." [Ref. 20:p. 20]

The Administrative Support Division (LA-7), whose director is a civilian, consists of 10 personnel. LA-7 is located in the Pentagon and is divided into two branches, the Correspondence Control Branch and the Mail/Records/Reference Branch. The following are its main areas of responsibility:

- Acknowledges and replies to congressional correspondence and other congressional inquiries as assigned.
- Provides mail service for OLA and is responsible for office services such as supplies, printing, duplicating, procurement of equipment, etc.

### **3. Substantiation of OLA's Operations**

This section further substantiates the OLA operations. The CLA is given wide discretion in the staffing of the OLA. All candidates are screened by the Office of the CLA. Critical points of consideration are

given to past professional performance, warfare specialty, and mission experience. The Office of the CLA makes recommendations on candidates to the CLA. Based on these recommendations and a review of all three factors, the CLA selects the candidate that best meets the needs of the OLA.

The purpose of this process is to select the best Navy personnel for positions in the OLA. The OLA maintains a broad experience base which helps it to gain and maintain credibility. The OLA's billets are not all coded for particular warfare specialties, but the OLA does try to maintain a mix of warfare specialties. In order to fulfill the mission of educating the Congress, it is essential that the OLA have credibility when discussing pending legislation and its effect on the Navy. Therefore, warfare specialty is a key consideration when selecting candidates to work in the OLA.

The OLA acts as a conduit of information between the Navy and Congress. Information on proposed and pending legislation is collected and exchanged through the OLA divisions according to each division's respective area of responsibility. The Senate and House divisions are responsible for direct contact with the members of Congress and their personnel staff, while the programs division is responsible for contact with the professional staffs. There are many areas of overlap in contact between the OLA and Congress. Frequent staff meetings and constant communication within the staff allow the Navy to present consistent, credible, and responsive answers to inquiries from Congress.

The OLA is proactive or reactive to legislative issues, depending on the priorities set by the SECNAV. In the proactive mode, the OLA actively seeks to educate the members of Congress and their staffs on a particular issue. The CLA acts as the point man for the Navy in legislative issues with Congress. This is accomplished through testimony, briefings, and CODELS. In the reactive mode, the OLA responds to the requests of Congress and provides only the information the Congress requests.

Legislative proceedings and issues are monitored throughout the OLA organization. This falls under the function of intelligence agent. All the OLA divisions are actively involved in monitoring proposed and pending legislation. However, it is the legislative division that has the designated responsibility of providing personnel to attend hearings and track specific legislation. All hands collect information for the CLA.

SECNAVINST 5730.5G specifically states the relationship the OLA shall maintain with the CBO. This instruction gives the origination, purpose and authority of the CBO. It states that "Within the Department of the Navy, the Office of Legislative Affairs is assigned responsibility for liaison with the CBO." [Ref. 19:p. 3] OLA interaction with the Congressional Budget Office (CBO) is responsive. The OLA does not initiate contact with the CBO but responds to the CBO's requests for information as if they were congressional requests.

#### **D. SUMMARY**

The OLA is a well-defined organization. Navy instructions articulate the responsibilities of the staff and how they are to conduct liaison with the Congress. Interviews with personnel within OLA indicate that

non-routine situations are closely monitored by the Office of the CLA. The emphasis of the OLA is to be the conduit of information between the DON and Congress.

## **VI. COMPARISON OF THE MILITARY DEPARTMENT OLLS**

This chapter compares the military department OLLs. It states the reasons for the high degree of similarity among the OLLs in relation to their organization, functions, and operation. The differences are then stated with respect to each of these categories. Interpretations of the differences among the OLLs are based on evidence obtained in the documentation of the OLLs in Chapters III through V.

### **A. SIMILARITIES**

There are many basic similarities among the military department OLLs. These similarities include organizational design, service reporting requirements, stated mission, and congressional reporting requirements. These similarities exist for several reasons.

First, all the military department OLLs have their authorization based on the same statute—Title 10, United States Code. This law specifies that the OLL shall be under the office of the respective department Secretary. This requires all the OLLs to have a similar position within the organizational diagram of each of the departments (see Figures 3.1, 4.1, and 5.1).

Second, all of the OLLs fall under the jurisdiction of DOD. DOD Directive 5400.2 delineates policy for the provision of information to Congress. This is why all the OLLs have similar responsibilities and functions with respect to legislative liaison. DOD oversight of the military

departments provides a certain degree of standardization among the OLLs.

A third similarity among the OLLs is that they all respond to congressional requests. Congress requires daily information from the military departments to fulfill its oversight responsibilities. These requests, to a large degree, shape the functions of the OLLs. All these reasons explain the nature of the strong similarities among the military department OLLs.

### **1. Organization**

Each of the military departments has specific department regulations governing the organization of the OLLs. Again, because all the departments fall under Title 10, U.S. Code, and DOD directives, the department regulations incorporate many similarities. Some of the specific similarities include organizational design of the OLLs within each department and the design of the OLLs themselves. However, there are distinct differences in the wording of the department regulations which place a markedly different emphasis on the OLLs. These differences are discussed in a later section of this chapter.

### **2. Function**

The military departments' OLLs' basic functions are closely related. The same functions are documented for each of them. The reason for this similarity is the strong influence that congressional needs play in shaping the roles of the military department OLLs. Congress requests the same types of information from each of the military departments and therefore there is a high degree of similarity among the

activities provided by each of them. The differences in functions, as discussed in a later section of this chapter, are a matter of emphasis by each of the OLLs.

### **3. Operation**

The operations of each of the OLLs are similar in respect to the titles of the various divisions. All the OLLs have the following divisions: Senate, House, Travel, Legislative, Weapons or Programs, and Congressional Inquiry or Administrative Support. However, this is where the similarities end. Each of the OLLs has its own set of priorities and, as a result of those priorities, places a different emphasis on the corresponding divisions responsible for those particular functions. These differences are discussed below.

## **B. DIFFERENCES**

The differences between the OLLs are not as apparent as the similarities. The differences were discovered as a result of studying the documentation of each of the military department OLLs and conducting interviews with key personnel within each of the OLLs. The basis of all the differences among the OLLs reflects the varying priorities of the respective military departments.

### **1. Organization**

Each of the OLLs is organized so that it has direct reporting responsibility to its respective department Secretary. The reporting criteria established to the departments' operational commanders (COS, CNO) are handled differently by the OLLs.

The Air Force and Army do not explicitly task the OLL to support or report to its COS. Because no specific regulations require the OLLs to support their operational commanders, the scope of involvement of the operational commander in legislative liaison differs according to the individual COS's personality. This relationship between the COS and the OLL is not written into regulation.

The Navy does explicitly task the OLA to provide departmental support to both the CNO and CMC. However, this requirement is listed in the OLA mission statement. The Navy stresses the importance of the operational commander in the legislative liaison process. Although involvement of the CNO and/or CMC is still dependent on their individual personalities, the Navy follows the dictum that warriors provide credibility to the legislative liaison effort and, as such, places emphasis on facilitating that involvement.

## **2. Function**

The differences among the military department OLLs with respect to functions are a direct result of varying priority assignments. Each of the OLLs has the same basic mission. However, the interpretation and execution of this mission varies among the OLLs. It is difficult to categorically state the priorities of each of the OLLs. These priorities are not promulgated in writing but are more a function of the military culture of each service. The following priorities are based upon subjective interviews with personnel within the OLLs and an interpretation of the military department's written regulations.



The highest priority of the Air Force appears to be that of service expediter for Congress. That is, the Air Force is most concerned with being responsive to congressional needs and requests. This priority assignment is evidenced by the resources assigned within the SAF/LL to accomplish this mission. The SAF/LL congressional inquiry division is the lead division with responsibilities for this function.

The congressional inquiry division, whose OIC is a Colonel, consists of 26 personnel. This is in stark contrast to the Navy's correspondence control branch, which handles similar responsibilities for the Navy. The Navy's correspondence control branch, whose director is a civilian, consists of five personnel. The SAF/LL devotes the most personnel among the OLLs to accomplish this function. In addition, the Air Force regulation governing legislative liaison explicitly states the importance of the function of service expediter for the Congress.

The Army appears to assign highest priority to the function of educator or, as expressed by personnel within the OCLL, to provide "focused information" to the Congress. In its effort to educate the Congress, the OCLL places great importance on giving Congress all the pertinent information available on a legislative issue. The key factors of focused information are accuracy, consistency, and timeliness. This priority assignment is reflected in the size and scope of the OCLL programs division.

The programs division, whose OIC is a Colonel, consists of 18 personnel. The Air Force assigns 12 personnel and the Navy 14 personnel to divisions with similar responsibilities. However, it is not just the

number of personnel dedicated to the education function that makes it a high priority. The provision of focused information—the effort to educate the Congress—is an underlying theme present in all the OCLL divisions and confirmed through interviews and observations of the OCLL operations.

The Navy appears to assign highest priority to the function of spokesman for the Secretary, with particular emphasis on processing all legislative proposals of the Navy. That is, the Navy is most concerned with tracking and reporting on the events in the congressional decision process as they occur. This is an effort to improve the Navy's influence in that congressional decision process.

This priority is reflected in both the size and scope of the OLA programs and legislation divisions. These two divisions account for 29 personnel in the OLA. These 29 personnel account for 43 percent of the total personnel assigned to the OLA. The Air Force and the Army only dedicate approximately 30 percent of their personnel to this function.

The function of spokesman for the Secretary is clearly a high priority for the Navy. This priority is also emphasized in the wording of Navy instructions. The *Navy Witness Guide* states "The Chief of legislative Affairs has the responsibility for the coordination and processing through Congress of all legislative proposals of the Department of the Navy, other than those affecting appropriations and related financial matters." [Ref. 21:p. 5]

### **3. Operation**

The operations of the OLL vary among the military departments. This variance is a direct result of the different priorities of the individual OLLs. The emphasis placed on the different aspects of day-to-day operations and assignments of personnel to the various divisions of the OLLs provides insight into their priorities. The operational differences among the OLLs follow the priority assignments, as discussed above, in relation to functions of the OLLs. That is, the Air Force places priority on the congressional inquiry division, the Army stresses the programs division, and the Navy places emphasis on the programs and legislative divisions.

#### **C. SUMMARY**

There are many similarities among the military department OLLs. These similarities are a direct consequence of the laws and DOD directives which apply to all the military departments. Without close study, it appears that the OLLs are mirror images of each other. However, close examination of each individual military department's regulations and interviews with personnel in each of the OLLs provide evidence that there are many differences among the OLLs.

The basis of these differences is the varying emphasis placed on OLL functions. The Air Force assigns high priority to the function of service expediter for Congress, the Army to the function of educator, and the Navy to the function of spokesman for the Secretary.

## **VII. CONGRESSIONAL STAFF PERCEPTIONS OF THE MILITARY DEPARTMENT OLLs**

Holtzman's model was followed in this chapter in the assessment of the congressional perspective of the military department OLLs. Holtzman proposed four hypotheses which relate to liaison roles of the executive system from the congressional perspective.

1. Hypothesis I: Built-in antagonisms lead Congress to limit liaison roles.
2. Hypothesis II: Congressional norms and needs facilitate lobbying roles.
3. Hypothesis III: Congressional seniority enhances the acceptance of executive lobbyists in the legislative system.
4. Hypothesis IV: Congressional party affiliations lead to different attitudes regarding executive lobbying. [Ref. 1:pp. 42-61]

This chapter highlights three of these hypotheses and examines the evidence that was found with regard to the hypotheses for the military department OLLs. This thesis is not able to address Holtzman's fourth hypothesis. The limitations on the research/interview period did not allow for correspondence with a large enough cross-section of Congress to make a statement for or against this hypothesis.

Following the application of Holtzman's hypotheses is a section on congressional views expressed during personal interviews discussing the congressional perception of the OLLs.

## A. HOLTZMAN'S FIRST HYPOTHESIS

Holtzman's first hypothesis states that built-in antagonisms lead Congress to limit liaison roles. The basis of this hypothesis is that due to the separation of power in government among the judiciary, legislative, and executive branches, there is a struggle for control which gives the government a system of checks and balances. This hypothesis proposes that Congress perceives that the legislative liaison function could be used as a means to usurp power and/or control from the Congress. Therefore, the Congress attempts to limit the legislative liaison functions within the executive branch.

The Congress does place limitations on the military departments with regard to their legislative liaison functions. These limitations are included in statutory law, report language, and operating policies.

Holtzman quotes a section of Title 18, U.S. Code, Section 1913, in discussing the law on the use of appropriated funds for lobbying.

No part of the money appropriated by any enactment of Congress shall, in the absence of express authorization by Congress, be used directly or indirectly to pay for any personal service, advertisement, telegram, telephone, letter, printed or written matter, or other device, intended or designed to influence in any manner a Member of Congress...but this shall not prevent officers, or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress through the proper official channels. [Ref. 1:p. 44]

This restricts the activities the OLLs can be involved in, while allowing the OLLs the opportunity to educate the Congress through **proper official channels**.

While there is statutory law that the military department OLLs must follow, there are no statutory laws specifically written to restrict the

activities of the military department OLLs. However, the Congress does address the OLLs specifically in report language. This language is a direct result of Congress exercising its oversight responsibilities.

The following are two examples of how Congress restricts OLL's functions through report language. First, concern by Congress regarding the amount of monies spent in the legislative liaison role has led to limitations written into the defense budget. An example of this is quoted from House Report 99-332.

The budget requested increasing the ceiling on legislative liaison activities to \$13,424,000 in fiscal year 1986. To be consistent with the committee's position of holding the Defense program to last year's level, the ceiling has been reduced by \$500,000. [Ref. 22:p. 359]

In addition, report language requires the Defense Department to make an annual report to the Congress (OSD comptroller exhibit PB-23) showing that the budget limitation was not exceeded. This particular budget limitation on legislative liaison was not included in the 1990 authorization bill.

The second example of how Congress restricts the OLL's activities through report language is given in Senate Report 97-580 of the Committee on Appropriations.

Budget liaison—In a related matter, the Committee is also concerned over continuing efforts to meld the budget liaison operations of the Department and the services into the congressional relations activities. The Committee requires an available, responsive liaison organization capable of dealing with budget-related issues, with the authority to respond directly and promptly with factual information required by the Committee.

The Committee directs that the budget liaison structure be returned to a status independent from legislative liaison influence

and control and given the authority and manpower to respond directly to the Committee's factual information requirements. [Ref. 23:p. 11]

This language was included to prevent the military departments from combining the OLL's activities with the comptroller's liaison function. The Appropriations Committee of the Senate viewed this combination as an attempt to limit or regulate the Congress' oversight responsibilities by limiting its sources of information. Therefore, as stated in the report, Congress has mandated that the DOD will keep the functions of the OLLs separate from the liaison functions of the comptroller shops. The Congress has dictated that these two functions shall not be merged.

Operating policies of the Congress also place limitations on the functions of the military department OLLs. The appropriators desire to get their information from comptroller personnel and not have contact with the military department OLLs. The appropriations committees believe it is more appropriate for them to receive the information they are requesting on budgeting matters directly from the comptroller instead of having to go through an intermediary such as the OLL. Therefore, the appropriation committees do not grant access to the military department OLLs.

Interviews with key staff personnel provide further documentation that the Congress places limitations on the activities of the OLLs. The most frequently cited example is that of the appropriations committees not granting access to personnel from the OLLs.

Evidence supports the hypothesis that Congress does impose limitations on the legislative functions of the military departments. Interviews with key congressional staff personnel suggest that these limitations are

not the result of built-in antagonisms; rather, the limitations are established by the Congress in the fulfillment of its oversight responsibilities.

## **B. HOLTZMAN'S SECOND HYPOTHESIS**

Holtzman's second hypothesis states that congressional norms and needs facilitate lobbying roles. The term "lobbying" is not appropriate to use in conjunction with the OLLs; therefore, the term "education," as described as an OLL function in Chapter III, is used. The premise of this hypothesis is that the educational roles of the OLLs have benefited as the needs of Congress have expanded. That is, the needs of Congress determine the extent of the legislative liaison function and further legitimize the OLL's functions.

Congressional requirements do shape the role of the military department OLLs. Legislative liaison in the military departments started to evolve at the end of World War II.

Shortly after World War II, however, workloads in personnel offices answering congressional inquiries "Why Johnny wasn't home yet" led the Navy to establish a special demobilization liaison unit in an empty office on Capitol Hill....As the burdens on officers responsible for drafting and justifying defense legislation became heavier with the huge expansion in the size of the defense budget and the responsibilities of national security, special units were created in all of the services to handle legislation affecting military interests. [Ref. 2:p. 6]

The offices on the Hill gave the military departments direct access to the members of Congress and the congressional staffs. The military departments realized the opportunity these offices provided them and acted to have them permanently established. The Congress became accustomed to and reliant on the services provided by the OLLs and



passed legislation providing for the DOD and military departments to establish offices to handle legislative liaison.

Congress became more reliant on the OLLs as their access to information grew. They had access not just for finding out about Johnny but for getting information on the needs and status of defense programs and budgets through direct coordinated contact. This growth in the congressional demand on the OLLs led to the growth of the OLLs, to include a dedicated staff in the Pentagon in conjunction with offices on the Hill to work congressional issues.

The growth of OLL services is not merely a general response to the growth of the defense budget and Congress itself. A recent example of direct congressional action on the functions of the OLLs is cited from a unpublished paper by Captain Sandy Clark:

One might think that the Services would be free to assign as many personnel as deemed necessary to meet committee requirements. However, in 1989 the HAC felt compelled to appropriate \$180,000 to establish two extra billets for the Navy to use in caring for the needs of the Subcommittee. [Ref. 3:p. 3]

The evidence supports the hypothesis that the services provided by the OLLs have grown out of the needs of Congress. Interviews suggest that the growth of the OLLs is due, in part, to the desire of the military departments to educate the Congress on pertinent military issues. However, congressional staff acknowledges the leading role Congress has played in the growth and acceptance of the OLL's functions.

### **C. HOLTZMAN'S THIRD HYPOTHESIS**

Holtzman's third hypothesis states that congressional seniority enhances the acceptance of executive lobbyists in the legislative system. Again, as with the second hypothesis, this thesis substitutes the term "education" for "lobbying." The premise of this hypothesis is that leadership within the Congress is based on seniority. It implies that the leadership in Congress has more contact with and access to the executive legislative liaison functions than the individual members of Congress. This frequent access encourages the continued use of and reliance on the legislative function for receiving information. The less-senior members of Congress defer to the advice of the leadership and therefore are less likely to use or understand the benefits provided by the legislative liaison function. This would suggest that seniority enhances the acceptance of the executive legislative liaison function.

As stated in Chapter II, the status of leadership in Congress has changed from the early 1970s. Leadership positions are no longer attained solely through seniority. There is a reluctance among the members of Congress to defer to the leadership on voting big-ticket items. This independence of the members of Congress has led to a tremendous growth in the size of both the professional and personal staffs of Congress. This growth led to the use of the OLLs' services by more members of Congress rather than restricting that use to the Congressional leadership.

Evidence suggests that seniority does not play a role in the acceptance of the legislative liaison function. The independent attitude of the

members of Congress and reliance on the services provided by the OLLs has negated the validity of this assumption. The congressional staff interviewed expressed a strong opinion that the OLL function was not only legitimate but essential for the Congress to make informed decisions. These findings correspond to the interpretation that the legislative liaison role is accepted as being legitimate by the staff and members of Congress.

#### **D. GENERAL CHARACTERIZATIONS OF CONGRESSIONAL STAFF INTERVIEWS**

Throughout interviews with key congressional staff, there were several recurring themes. These themes were broken down into three areas—organization, function, and operation of the OLLs.

The organization of the OLLs was thought to be well defined. However, questions were frequently asked about the separation of duties between the OLLs and the comptroller shops. While some in Congress understand and desire to maintain this dichotomy, others questioned its logic. Still others raised doubts over the authority for this dichotomy and suggested it might be a convenient way for the military departments to delay/sanitize information given to the Congress.

Views on the functions of the OLLs fit into four categories. These are functions as expressed by the congressional staff and are not the functions of Holtzman's model used in the documentation of the OLLs in Chapters III through IV.

One of the OLLs' functions is to be responsive to the needs of Congress and act as a conduit of information between the Congress and the

military. A second function is for the OLLs to act as a point of insertion for the congressional staff into the military establishment. That is, the OLLs should be able to direct congressional inquiries to the best source of information within the military establishment. A third function of the OLLs is to educate the Congress on various aspects of the military, from weapons systems to personnel issues. Congressional staff stressed the importance of CODELs, briefings, and personal relations as critical factors in the education process. The fourth function of the OLL as expressed by the congressional staff was that of facilitator. That is, the congressional staff expects the OLLs to be able to interpret messages between the DOD and the Congress on pending legislation and put them into terms that are understandable to the Congress.

Overall, congressional perception suggests that the OLLs are manned with the best personnel in the military departments and that the OLLs' staff are professional in all dealings with Congress. The interviews suggested two traits that OLLs must maintain in order to be effective and of use to Congress—personal relations and credibility. Personal relations are necessary in order for the OLLs to maintain access to the staff and members of Congress. Credibility of the OLLs is essential for the staff and members of Congress to work legislative issues and take into consideration information provided by the OLLs.

#### **E. SUMMARY**

The Congress' responsibility for oversight of the military establishment does lead to limitations placed on the OLLs. There is a direct relationship between the needs of Congress and the services provided by the

OLLs. The acceptance of the OLLs' function as legitimate is spread throughout the Congress and not relegated to just the senior members of Congress.

OLLs provide vital services to the Congress. The ability of the Congress to tap the OLL resource improves its ability to effectively legislate. This realization has been a driving factor in the evolution of services provided by the OLLs. OLLs' services not only are accepted as legitimate throughout the Congress but are considered critical in the day-to-day functioning of Congress' responsibilities. Congress requires the services provided by the OLLs.

## **VIII. FINDINGS AND RECOMMENDATIONS**

This chapter highlights the findings of the thesis. Following the statement of findings is a section providing recommendations resulting from this research.

### **A. FINDINGS**

The military department OLLs facilitate interaction between the military departments and Congress. These offices are authorized by public law to be the single office within each of the respective military departments responsible for legislative liaison. However, the appropriation committees of Congress have successfully dictated that the legislative liaison functions of the military departments will be split between the departments' comptroller shops and the OLLs. The comptroller shops are responsible for all appropriation matters and the OLLs are responsible for all other legislative matters.

The military department OLLs are directly accountable to their respective department Secretary. In addition, depending upon the personality of the military departments' COS/CNO, the OLLs actively support the offices of the COS/CNO. Therefore, even though not written into law, the military departments OLLs have dual reporting requirements. That is, the OLLs report officially to their respective department Secretary and at the request of the military departments' COS/CNO.

OSD/LA plays an important coordinating role among the military departments OLLs. Although the OLLs are not directly responsible to

OSD/LA, there is frequent interaction between OSD/LA and the OLLs with regard to legislative liaison. The legislative "issues" that receive OSD/LA oversight are legislative matters that pertain to two or more of the military departments. Other issues that get OSD/LA attention are those that are of high political visibility or are controversial.

There are many similarities among the military departments with regard to the OLLs' functions and operations. These similarities are due to the commonality among the military departments with respect to Public Law, OSD regulations, and congressional requests. The notable differences among the military department OLLs are due to the different emphasis and priority assignments each of the OLLs place on their functions and operations.

Holtzman's model provides a lens to view these different priority assignments of functions and operations among the military departments' OLLs. Through this lens, the Air Force assigns highest priority to the function of service expediter for Congress. This priority enables the Air Force to establish and maintain a positive relationship with the Congress.

The Army's highest priority is educating the Congress. The Army OLL's goal is to consistently provide focused information to the Congress. This priority allows the Army to provide the Congress with information that the Army views as pertinent to legislative decisions.

The Navy OLA's highest priority is to act as the spokesman for the Secretary. This assignment reflects the Navy's position that the OLA is the "point" for the presentation of legislative issues for Congress. This

priority ensures that the Navy has the ability to process all of its legislative proposals.

The Congress plays a substantial role in the development of the military department OLLs. The functions of the OLLs have evolved in response to congressional requests. Congress accepts the functions of the OLLs as legitimate and acknowledges its reliance on the services provided by the OLLs. The Congress deems the OLLs to be critical in fulfilling its military oversight responsibilities.

## **B. RECOMMENDATIONS**

The complexity of legislative liaison and the importance assigned to it by the Congress leads to one recommendation for immediate action. The military departments should educate and train their officers in the professional practice of legislative liaison. Better-educated officers would not only enhance the operations of the military department OLLs, they would enhance congressional-DOD relations in general. In an era of declining defense dollars, a recognition of the importance of legislative liaison and congressional relations, in general, is critical.

In addition to this recommendation for immediate action, this thesis generated several recommendations for future areas of study. The first recommended area of study is to evaluate the effectiveness of the military departments providing separate congressional liaison personnel—one group for appropriation matters and one group for all other legislative liaison. What are the benefits of the appropriations committees having direct access to the comptrollers versus the costs of providing what appear to be duplicative services?



The second area for future study is whether the OLLs are able to provide an "outreach" function without violating the intent of the Federal Lobbying Act. That is, would it be legal for the military departments to actively target members of Congress who do not have much awareness of DOD policies to provide them with information and education on DOD policies and issues? Advocacy is an increasingly important issue given the decline in the number of congressional staff and members of Congress who have had previous military experience.

The last area of recommended future study is an analysis of the growth of congressional demands on the military departments in relation to the growth of the OLLs, which are responsible to meet the congressional demands. The question to be answered is: have the OLLs' staffs grown sufficiently over the past two decades to meet all congressional demands? That is, are any congressional requests not being met because the OLLs' staff do not have the personnel to respond to all requests?

### **C. SUMMARY**

This thesis documented the organization, function, and operations of the military department OLLs. Throughout this research, there was one view conclusively supported by all personnel interviewed. The military department OLLs are essential for Congress to fulfill its DOD oversight responsibilities because they provide Congress with the education, insight, and knowledge that are necessary for the Congress to make informed decisions on military matters.

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